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Arizona Corporation Commission
STATE OF ARIZONA

DOCKETED

OFFICE OF THE ATTORNEY GENERAL

SEP 19 2000

1275 WEST WASHINGTON, PHOENIX, AZ. 85007-2926



Director of Utilities

JANET NAPOLITANO
ATTORNEY GENERAL

MAIN PHONE: (602) 542-5025
FACSIMILE: (602) 542-4085

DOCKETED BY

September 15, 2000

Beth Cockrill
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

AZ CORP COMMISSION
DOCUMENT CONTROL

2000 SEP 19 P 2:10

RECEIVED

RE: Case No. 105, SRP Santan Expansion Project

Dear Beth:

Enclosed are communications which I have received regarding Case No. 105, the SRP Santan Expansion Project. Please have them placed in Docket Control. In addition, could you please have copies made for each of the Committee members.

Thanks for your help.

Very Truly Yours,

Paul A. Bullis

Chairman, Arizona Power Plant and Transmission
Line Siting Committee

Telephone: (602) 542-7713

Facsimile: (602) 542-8885

w/ enclosures

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From: "mark sequeira" <msequeira@aztrib.com>
To: <kunasek@mail.maricopa.gov>, <pbullis@ag.state.az....>
Date: 9/13/00 5:40am
Subject: Notice of Motion to Continue

Dr. Mr. Bullis & Mr. Kunasek;

This email is to inform you that two Motions To Continue have been filed with docket control re: case no. 105 (SRP's SanTan power plant expansion) before the Arizona Corporation Commission and the Power Plant and Transmission Line Siting Committee. One on Sept. 12 and one Sept. 13. The late submission was unfortunately due to SRP's negligence in providing documents requested by COST and other intervenors in a timely manner that would allow COST and other intervenors to prepare for the hearing on Sept. 14, 2000.

It is our understanding that if this hearing be allowed to continue on the 14th that there will be more than adequate grounds for appeal based on the amount of time SRP has had to produce public records requested.

This plant has caused a fair amount of discussion and opposition. One thing I failed to notice in SRP's filing was any proof of need. Lots of claims but no proof. No one is ignorant about the East Valley's growth or fails to recognize the importance of supporting that growth and having the right infrastructure in place. However there is still a need to do a study into the need for power prior to granting any permits to SRP.

Moreso, it seems that 90-95% of the opposition to SRP's plans would dissolve if SRP choose one of their alternate locations. AND NO SUPPORTER OF SRP (based on their letters, news articles, etc.) suggests that this location is the best or only place for SRP to build, ONLY THAT SRP SHOULD BUILD NEW POWER GENERATION TO SUPPORT THE EAST VALLEY IN THE FUTURE.

This hearing should be continued based on the fact that SRP has withheld vital information and has not released public records in a timely manner. The Price-Waterhouse report was made available only yesterday and other records are being withheld and/or we have been informed by SRP have been deleted or destroyed by SRP employees. This lack of timely release of documents puts COST and other intervenors at a disadvantage. It is also grounds for an appeal and the eventual trying of this case before the AZ Supreme Court.

Attached please find the motion submitted to docket control September 13, 2000 by Mark Sequeira, Chair, Citizens Opposed to SanTan.

Copies of this email and the motions before the ACC are being sent to SRP and their attorneys.

CC: <rgdietri@srpnet.com>, <sundlof@jsslaw.com>

ORIGINAL

Mark Sequeira
Citizens Opposed to San Tan (COST)
2236 East Saratoga Street
Gilbert, AZ 85296
Telephone: (480) 503-4877

IN THE MATTER OF THE APPLICATION OF SALT RIVER PROJECT, OR THEIR ASSIGNEE(S), IN CONFORMANCE WITH THE REQUIREMENTS THE ARIZONA REVISED STATUTES 40-360.03 AND 40-360.06 FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AUTHORIZING THE CONSTRUCTION OF NATURAL GAS-FIRED, COMBINED CYCLE GENERATING FACILITIES AND ASSOCIATED INTRAPLANT TRANSMISSION LINES, SWITCHYARD IN GILBERT, ARIZONA LOCATED NEAR AND WEST OF THE INTERSECTION OF VAL VISTA AND WARNER ROAD

MOTION TO CONTINUE HEARING
Case No. 105
Docket No. L-00000B-105)

Mark Sequeira, Intervenor, in the above-referenced case hereby requests that the Hearing scheduled for September 14, 2000 at 9:00 a.m. before the Corporation Commission's Line Siting Committee be continued.

I. Intervenors in said case have repeatedly requested documents and information that belongs to the public as the applicant is a public utility, that have not been supplied by Applicant, Salt River Project. Intervenors in this case have not been allowed time or access to said documents in order to have them reviewed by environmental attorneys, or to prepare their case before the Siting Committee.

II. Salt River Project has had more than sufficient time to comply with public requests for documents. They have intentionally withheld said documents from Cathy Lopez, Intervenor, over repeated occasions and have suggested that other documents have been destroyed, deleted or are otherwise non-existent even though Citizens Opposed to SanTan has in its possession evidence to the contrary.

III. Documents that were filled out by the public at Salt River Project's open houses are not accessible to said public.

IV. The Attorney General's Office has informed us that they cannot force Salt River

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Project to supply public records/documents to the public and that Citizens Opposed to SanTan needs to sue said applicant for release of all documents related to the SanTan expansion project, including internal and external emails, environmental studies, etc.

THEREFORE, Intervenor, Mark Sequeira requests the following:

1. That for good cause showing, the hearing scheduled for September 14, 2000 at 9:00 a.m. before the Corporation Commission's Line Siting Committee be rescheduled for after January 14, 2001;
2. That said hearing be rescheduled for such a time as Applicant, Salt River Project, complies with the Request for Data and Information or until January 14, 2001;
3. That said hearing be rescheduled until such time as attorneys representing Citizens Opposed to SanTan force release of all public records related to SanTan expansion project to intervenors in said hearing and reasonable time has been allowed for examination of said records and preparation for the hearing of case 105 can be based on the facts of the case as presented by applicant.

Respectfully submitted this date _____, 2000, by

Mark Sequeira, Intervenor

An Original of the foregoing and 25 copies was filed this date _____, 2000 with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

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A copy of the foregoing mailed/hand-delivered this date, _____ 2000 to:

Kenneth C. Sundolf, Esq
JENNINGS, STROUSS & SALMON, PLC
One Renaissance Square
Two North Central Avenue
Phoenix, AZ 85004-2393

Randy G. Dietrich
Manager-Resource Development
Salt River Project
P.O. Box 52025 POB 007
Phoenix, AZ 85072-2025

I hereby certify that I have this date _____
served the foregoing documents on all parties
of record in this proceeding by mailing a
copy thereof, properly addressed with first
class postage prepaid to: each party of record.

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From: "Weiss, Matthew S" <matthew.s.weiss@intel.com>
To: "'pbullis@ag.state.az.us'" <pbullis@ag.state.az.us...>
Date: 9/13/00 8:03pm
Subject: Santan Expansion Project Regarding Docket # L-00000B-00-0105

We are unable to attend the hearing on Thursday 14, 2000 at 9:00 am. We are writing to you to because we strongly feel that the Santan Expansion Project should in no way be considered approval nor does our family give consent to any of SRP's plans to expand the power plant.

Matthew S. Weiss and Lisa M. Weiss
1236A South Boulder Street
Gilbert, AZ 85296
(480)726-0539

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ACC Power Plant and Transmission Line Siting Committee

RECEIVED

August 15, 2000

SEP 12 2000

Dear Chairman Bullis:

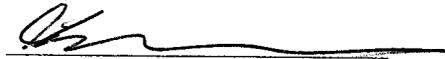
ANTITRUST UNIT
SCHOOL FRAUD UNIT

I have been informed that SRP has filed for a permit of Environmental Compatibility in order to build three new power generators in Gilbert at Warner and Val Vista Roads. As a neighbor to the San Tan Facility, let me say that I support Citizens Opposed to San Tan in either halting this facility altogether or seriously limiting its size. I would ask the Arizona Corporate Commission to do an independent study into the need for more power in the Valley before granting any permit to SRP.

SRP has stated that they need 2700 new megawatts of power in order to meet future needs. They have not proven that figure nor have they revealed where they will get this additional power since even the San Tan expansion (825 new megawatts) they will still have a serious deficit. After they expand the Kyrene facility (250 megawatts) my understanding is that they will be short over 1600 megawatts. SRP told Tempe that without expanding the Kyrene facility (3 generators totaling 725 megawatts) there would be brownouts in the future. Knowing this, they then negotiated with Tempe to build a replacement plant to the current facility producing only 250 megawatts. They are now telling Gilbert residents the same thing. That if we do not build this facility we could be without air conditioning in summers to come. Since SRP hasn't revealed the whole picture, we do not know if San Tan will actually solve this problem or not. I do not take the need lightly but if they will require building another facility outside of town in the coming years, I would ask the ACC to require that they build a larger facility there and bury the lines coming into town instead of building on a residential street. (Our homes are right across the street and some actually share a back wall with SRP's plant).

I realize that SRP has owned their property for over 20 years, however they were first allowed to build the San Tan plant when there was nothing but acreage and farmland in Gilbert. In the last five years Gilbert has grown to over 100,000 people. We are already facing new pollution from all the new cars, new growth, the San Tan Freeway just south of us, the expansion of the Williams Gateway Airport and the widening of US 60.

Since the closest air monitoring station is three miles away and upwind of the facility I would ask you, as a part of the Arizona Corporation Commission, to please withhold granting any permits to SRP until they have agreed to pay for an independent study into the air and environmental impact this plant would have on our community. Thank you for your time in this regard.


Signature

Christopher Cabban DO
Name

529 E. Ranch Rd., Gilbert, AZ 85296
Address

HOA (if applicable)

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Mr. Glenn Stark
2288 East Marlene Dr.
Gilbert Arizona 85296
480-507-7429

Cynthia Dunham
Mayor
City of Gilbert

SEP 12 2000

ANTITRUST UNIT
SCHOOL FRAUD UNIT

Dear Madam:

I attended an SRP public meeting on August 10, 2000. As you know, SRP is proposing to expand their electrical generation plant at Warner and Val Vista. This meeting had a very high turnout of residents. At this meeting, many Gilbert citizens expressed their concerns, frustrations, and anger. The people had many questions and valid ones. However, it was apparent limited data was available for the people to make an educated decision. I believe this process, if it continues like it is, will result in a similar fashion to the proposal for the State Fair in Gilbert; hostile. At this point, I do not believe the problem can be ignored. The people feel angry because they do not have answers to simple questions, answers which could have a huge impact on their quality of life. Currently, the process is what I consider a closed process. That is, the process does not let the public actively participate nor is there enough accurate information for the public to make a decision from unbiased data. SRP tells all of us citizens of Gilbert this is a good project and that the air pollution will be better with this project. I would like to agree with them, but I do not have enough information to agree.

It is very difficult for me and others to make a decision to support or not support the Santan-SRP Expansion project proposed in Gilbert. It is difficult because SRP has not been able to provide real data to support many of their claims. What data did you use to evaluate the project to make decisions? In order to evaluate this project, an alternatives analysis which depicts several options (i.e., different locations, different air pollution technologies, etc.) should be performed. The analysis needs to include environmental risks, economic, social, and other potential impacts for each alternative. This analysis document should model the federal NEPA Environmental Impact Statement (EIS) process. This process is being used for the SRP Kyrene station and needs to be used at this facility also. This analysis needs to be formal and unbiased. The public needs and deserves to have their questions answered in a formal comment and responses context. This document should be the basis for any decisions the City of Gilbert, Maricopa County Board of Supervisors, Arizona Corporate Commission or other permitting agencies make. Many questions still need answers. The unknown is a huge factor for fear. The questions people are asking, which SRP does not have answers to are simple ones like: how does the air emissions plume impact the immediate neighborhoods? In what direction does the emissions plume migrate based on prevailing wind directions? Should I be concerned for my health? Is it feasible to move the new plant to Power Road near the Williams Gateway Airport area or another southeast Gilbert location?

This project is an economic development proposal from SRP and the City of Gilbert has the responsibility to evaluate the alternatives and get unbiased answers to the citizens. I believe the City needs to partner with Gilbert citizens, SRP and a neutral consulting firm to develop a document which has all of the necessary answers to make informed decisions. I am confident if the analysis is done with public input, in the end, this will be a win-win project for both the City staff and elected officials, Gilbert citizens, and SRP.

I encourage and request that the City of Gilbert start a formal alternatives analysis with a study of environmental, economic, and social impacts. An open process will go a long way in building a better city and state. The bulldozer approach needs to stop.


Glenn Stark
Gilbert resident

cc: Gilbert Vice Mayor, Council Members, and Community Manager
Andrew Kunasek, Chairman, Maricopa County Board of Supervisors
Paul Bullis, Chairman ACC Power Plant and Transmission Siting Committee
Salt River Project