



0000090965

ORIGINAL

RECEIVED

Arizona Corporation Commission

DOCKETED

200 OCT 17 10:00 AM

OCT 17 2000

ARIZONA CORPORATION COMMISSION

DOCUMENT DOCKETED BY

JS

Kenneth C. Sundlof, Jr. - 004430
JENNINGS, STROUSS & SALMON, P.L.C.
A Professional Limited Liability Company
One Renaissance Square
Two North Central Ave.
Phoenix, AZ 85004-2393
Telephone: (602) 262-5911

Attorneys for Salt River Project

**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION
LINE SITING COMMITTEE**

IN THE MATTER OF THE
APPLICATION OF SALT RIVER
PROJECT, OR THEIR ASSIGNEE(S), IN
CONFORMANCE WITH THE
REQUIREMENTS OF 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 SOUTHEAST OF THE
INTERSECTION OF VAL VISTA DRIVE
AND WARNER ROAD.

CASE NO. 105
DOCKET NO. L-00000B-00-0105

MOTION TO COMPEL RESPONSE
TO DATA REQUESTS

Applicant Salt River Project ("SRP") files this motion to compel responses to its data requests to intervenors, Mark Sequeira, Christopher Labban, Constance and Charles Henson.

On September 1, 2000, data requests were sent to Mark Sequeira and Constance and Charles Henson. On September 28, 2000 a letter was sent to each of these intervenors requesting that they respond to the data requests by October 5th. No response was received to the data requests. On October 12, 2000, another letter was sent to these intervenors requesting that they respond to the data requests within 3 days. As of the date of this

ORIGINAL

1 motion, these intervenors have not responded to the data requests. Copies of the data
2 requests and letters requesting responses are attached as Exhibits A and B.

3 On September 28, 2000 data requests were sent to Christopher Labban requesting
4 that they respond to the data requests within 5 days. No response was received and on
5 October 12, 2000, a letter was sent to Mr. Labban requesting that he respond within 3 days.
6 As of the date of this motion, Mr. Labban has not responded to the data requests. A copy
7 of the data request and letter requesting a response is attached as Exhibit C.

8 SRP respectfully requests that this committee order the intervenors to respond to the
9 data requests by October 20, 2000 and if no response is received, an order be issued that
10 these intervenors are precluded from testifying or presenting exhibits at the upcoming
11 hearing.

12 RESPECTFULLY SUBMITTED this 17th day of October, 2000.

13 JENNINGS, STROUSS & SALMON, P.L.C.

14
15
16 By:  _____
17 Kenneth C. Sundlof, Jr.
18 Two North Central Avenue
19 Sixteenth Floor
20 Phoenix, AZ 85004
21 Attorneys for Salt River Project

22 The original and twenty-five
23 copies were filed this 17th day
24 of October, 2000 with:

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

1 COPY hand-delivered this
17th day of October, to:

2 Paul Bullis
3 Arizona Attorney General's Office
4 1275 W. Washington
Phoenix, AZ 85007

5 COPIES were mailed this 17th
6 day of October to:

7 Janice M. Alward
8 Arizona Corporation Commission
9 1200 W. Washington
Phoenix, AZ 85007

10 Raymond S. Heyman
11 Roshka, Heyman & DeWulf, PLC
12 400 North Fifth Street, Suite 1000
Phoenix, AZ 85004-3902

13 Walter M. Meek, President
14 Arizona Utility Investors Association
2100 North Central Avenue, Suite 210
Phoenix, AZ 85004

15 Timothy M. Hogan
16 Arizona Center for Law in the Public Interest
17 202 E. McDowell, Suite 153
Phoenix, AZ 85004-4533

18 Mark Sequeira
19 2236 E. Saratoga Street
Gilbert, AZ 85296

20 Michael Apergis
21 517 E. Stottler Drive
22 Gilbert, AZ 85296

23 Charlie Henson
24 2641 E. Libra
Gilbert, AZ 85296

1 Elisa Warner
2 625 E. Stottler Drive
3 Gilbert, AZ 85296

4 Cathy LaTona
5 1917 E. Smoke Tree Road
6 Gilbert, AZ 85296

7 Cathy Lopez
8 1714 E. Rawhide Street
9 Gilbert, AZ 85296

10 Marshall Green
11 1751 E. Orangewood Street
12 Gilbert, AZ 85296

13 Mark Kwiat
14 2075 E. Smoke Tree Road
15 Gilbert, AZ 85296

16 David Lundgreen
17 1835 E. Pinto Drive
18 Gilbert, AZ 85296

19 Sarretta Parro
20 1887 E. Arabian Drive
21 Gilbert, AZ 85296

22 Jennifer Duffany
23 2232 E. Smoke Tree Road
24 Gilbert, AZ 85296

25 Bruce Jones
26 1825 E. Appaloosa Road
Gilbert, AZ 85296

Christopher Labban, DC
529 E. Ranch Rd.
Gilbert, AZ 85296

By *Miriam J. Shuler*



JENNINGS, STROUSS & SALMON, P.L.C.

Attorneys at Law
One Renaissance Square
Two North Central Avenue, Suite 1600
Phoenix, Arizona 85004-2393
Telephone: 602.262.5911
Facsimile: 602.253.3255
www.jsslaw.com

KENNETH C. SUNDLOF, JR.
Direct Line: 602.262.5946
Direct Fax: 602.495.2659
sundlof@jsslaw.com

October 12, 2000

Mr. Mark Sequeira
2236 E. Saratoga Street
Gilbert, AZ 85296

Re: *Salt River Project - Santan Expansion Project*

Dear Mr. Sequeira:

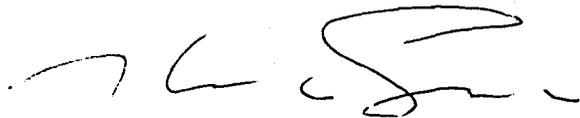
On September 1, 2000, you were sent data requests. On September 28, 2000, we again sent you a copy of the same data requests. To date we have received no response to either request. Please respond to these data requests within 3 days of the date of this letter.

Thank you.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

By


Kenneth C. Sundlof

KCS/mri



Jennings Strauss & Salmon

JENNINGS, STROUSS & SALMON, P.L.C.

Attorneys at Law
One Renaissance Square
Two North Central Avenue, Suite 1600
Phoenix, Arizona 85004-2393
Telephone: 602.262.5911
Facsimile: 602.253.3255
www.jsslaw.com

KENNETH C. SUNDLOF, JR.
Direct Line: 602.262.5946
Direct Fax: 602.495.2659
sundlof@jsslaw.com

September 28, 2000

Mr. Mark Sequeira
2236 E. Saratoga Street
Gilbert, AZ 85296

Re: *Salt River Project - Santan Expansion Project*

Dear Mr. Sequeira:

On September 1, 2000, you were mailed data requests and asked to respond to the data requests. As of the date of this letter, we have not received your response. We ask that you submit your responses to the data requests on or before October 6, 2000. A copy of the data requests is enclosed for your convenience. If you are unable to respond to the data requests, please contact the undersigned or my paralegal, Michele Irons at 602/262-5983. Thank you for your cooperation.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

By

Kenneth C. Sundlof

KCS/mri
Enclosure

1 Kenneth C. Sundlof, Jr. - 004430
2 **JENNINGS, STROUSS & SALMON, P.L.C.**

3 A Professional Limited Liability Company

4 One Renaissance Square

5 Two North Central Ave.

6 Phoenix, AZ 85004-2393

7 Telephone: (602) 262-5911

8 Attorneys for Salt River Project

9 **BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION**
10 **LINE SITING COMMITTEE**

11 IN THE MATTER OF THE
12 APPLICATION OF SALT RIVER
13 PROJECT, OR THEIR ASSIGNEE(S), IN
14 CONFORMANCE WITH THE
15 REQUIREMENTS OF THE ARIZONA
16 REVISED STATUTES 40-360.03 AND 40-
17 360.06 FOR A CERTIFICATE OF
18 ENVIRONMENTAL COMPATIBILITY
19 AUTHORIZING THE CONSTRUCTION
20 OF NATURAL GAS-FIRED, COMBINED
21 CYCLE GENERATING FACILITIES
22 AND ASSOCIATED INTRAPLANT
23 TRANSMISSION LINES, SWITCHYARD
24 IN GILBERT, ARIZONA LOCATED
25 NEAR AND SOUTHEAST OF THE
26 INTERSECTION OF VAL VISTA DRIVE
AND WARNER ROAD.

CASE NO. 105

DOCKET NO. L-00000B-00-0105

DATA REQUESTS TO INTERVENOR
MARK SEQUEIRA

18 Applicant Salt River Project submits this data request to you and requests that you provide
19 complete answers to these questions and produce the documents and things requested.

20 These responses should be delivered to the undersigned counsel for SRP within three days.

21 This is a continuing request and we request that you promptly supplement your responses
22 in the event that additional information or documents become available.

23 1. Please state whether you represent a group or organization.

24 2. If the answer is yes, please identify the group or organization name and describe the
25 nature of the group or organization.
26

- 1 3. Please provide the names and addresses of each member of the group or
2 organization.
- 3 4. Please state each argument that you intend to raise at the hearing in opposition to
4 SRP's Santan Expansion Project.
- 5 5. For each argument identified in your answer to number four, describe the factual
6 basis for the argument.
- 7 6. For each witness that you intend to present at the hearing state:
8 a. The witness name and address
9 b. The witnesses qualifications as they pertain to the testimony
10 c. A summary of the expected testimony of the witness
11 d. The identification of any exhibits or reports which will be used or referenced
12 by the witness.
- 13 7. Please provide the name and address of the attorney or attorneys who will represent
14 you in these proceedings.
- 15 8. Please identify and produce each exhibit which you intend to introduce at the
16 hearing.

17 RESPECTFULLY SUBMITTED this 1st day of September, 2000.

18 JENNINGS, STROUSS & SALMON, P.L.C.

19
20
21 By: 

22 Kenneth C. Sundlof, Jr.
23 Two North Central Avenue
24 Sixteenth Floor
25 Phoenix, AZ 85004
26 Attorneys for Salt River Project



Jennings Strouss & Salmon

JENNINGS, STROUSS & SALMON, P.L.C.

Attorneys at Law
One Renaissance Square
Two North Central Avenue, Suite 1600
Phoenix, Arizona 85004-2393
Telephone: 602.262.5911
Facsimile: 602.253.3255
www.jsslaw.com

KENNETH C. SUNDLOF, JR.
Direct Line: 602.262.5946
Direct Fax: 602.495.2659
sundlof@jsslaw.com

October 12, 2000

Ms. Constance Henson
2641 E. Libra
Gilbert, AZ 85296

Re: Salt River Project - Santan Expansion Project

Dear Ms. Henson:

On September 1, 2000, you were sent data requests. On October 6, 2000, we again sent you a copy of the same data requests. To date we have received no response to either request. Please respond to these data requests within 3 days of the date of this letter.

Thank you.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

By


Kenneth C. Sundlof

KCS/mri



JENNINGS, STROUSS & SALMON, P.L.C.

Attorneys at Law
One Renaissance Square
Two North Central Avenue, Suite 1600
Phoenix, Arizona 85004-2393
Telephone: 602.262.5911
Facsimile: 602.253.3255
www.jsslaw.com

KENNETH C. SUNDLOF, JR.
Direct Line: 602.262.5946
Direct Fax: 602.495.2659
sundlof@jsslaw.com

September 28, 2000

Mr. Charlie Henson
1938 E. Saratoga
Gilbert, AZ 85296

Re: Salt River Project - Santan Expansion Project

Dear Mr. Henson:

On September 1, 2000, you were mailed data requests and asked to respond to the data requests. As of the date of this letter, we have not received your response. We ask that you submit your responses to the data requests on or before October 6, 2000. A copy of the data requests is enclosed for your convenience. If you are unable to respond to the data requests, please contact the undersigned or my paralegal, Michele Irons at 602/262-5983. Thank you for your cooperation.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

By

A handwritten signature in cursive script that reads "Kenneth C. Sundlof".

Kenneth C. Sundlof

KCS/mri
Enclosure

1 Kenneth C. Sundlof, Jr. - 004430
2 **JENNINGS, STROUSS & SALMON, P.L.C.**

3 A Professional Limited Liability Company
4 One Renaissance Square
5 Two North Central Ave.
6 Phoenix, AZ 85004-2393
7 Telephone: (602) 262-5911

8 Attorneys for Salt River Project

9 **BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION**
10 **LINE SITING COMMITTEE**

11 IN THE MATTER OF THE
12 APPLICATION OF SALT RIVER
13 PROJECT, OR THEIR ASSIGNEE(S), IN
14 CONFORMANCE WITH THE
15 REQUIREMENTS OF THE ARIZONA
16 REVISED STATUTES 40-360.03 AND 40-
17 360.06 FOR A CERTIFICATE OF
18 ENVIRONMENTAL COMPATIBILITY
19 AUTHORIZING THE CONSTRUCTION
20 OF NATURAL GAS-FIRED, COMBINED
21 CYCLE GENERATING FACILITIES
22 AND ASSOCIATED INTRAPLANT
23 TRANSMISSION LINES, SWITCHYARD
24 IN GILBERT, ARIZONA LOCATED
25 NEAR AND SOUTHEAST OF THE
26 INTERSECTION OF VAL VISTA DRIVE
AND WARNER ROAD.

CASE NO. 105
DOCKET NO. L-00000B-00-0105

DATA REQUESTS TO INTERVENOR
CHARLIE HENSON

Applicant Salt River Project submits this data request to you and requests that you provide complete answers to these questions and produce the documents and things requested.

These responses should be delivered to the undersigned counsel for SRP within three days.

This is a continuing request and we request that you promptly supplement your responses in the event that additional information or documents become available.

1. Please state whether you represent a group or organization.
2. If the answer is yes, please identify the group or organization name and describe the nature of the group or organization.

- 1 3. Please provide the names and addresses of each member of the group or
2 organization.
- 3 4. Please state each argument that you intend to raise at the hearing in opposition to
4 SRP's Santan Expansion Project.
- 5 5. For each argument identified in your answer to number four, describe the factual
6 basis for the argument.
- 7 6. For each witness that you intend to present at the hearing state:
8 a. The witness name and address
9 b. The witnesses qualifications as they pertain to the testimony
10 c. A summary of the expected testimony of the witness
11 d. The identification of any exhibits or reports which will be used or referenced
12 by the witness.
- 13 7. Please provide the name and address of the attorney or attorneys who will represent
14 you in these proceedings.
- 15 8. Please identify and produce each exhibit which you intend to introduce at the
16 hearing.

17 RESPECTFULLY SUBMITTED this 1st day of September, 2000.

18 JENNINGS, STROUSS & SALMON, P.L.C.

19
20
21 By: 

22 Kenneth C. Sundlof, Jr.
23 Two North Central Avenue
24 Sixteenth Floor
25 Phoenix, AZ 85004
26 Attorneys for Salt River Project



Jennings Strouss & Salmon

JENNINGS, STROUSS & SALMON, P.L.C.

Attorneys at Law
One Renaissance Square
Two North Central Avenue, Suite 1600
Phoenix, Arizona 85004-2393
Telephone: 602.262.5911
Facsimile: 602.253.3255
www.jsslaw.com

KENNETH C. SUNDLOF, JR.
Direct Line: 602.262.5946
Direct Fax: 602.495.2659
sundlof@jsslaw.com

October 12, 2000

Mr. Christopher Labban
529 E. Ranch Road
Gilbert, AZ 85296

Re: Salt River Project - Santan Expansion Project

Dear Mr. Labban:

On September 29, 2000 you were sent data requests and asked to respond by October 5th. As of the date of this letter, we have not received your response. Please submit a written response within 3 days of the date of this letter.

Thank you.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

A handwritten signature in black ink, appearing to read "KCS", followed by a horizontal line.

By

Kenneth C. Sundlof

KCS/mri

1 Kenneth C. Sundlof, Jr. - 004430
2 **JENNINGS, STROUSS & SALMON, P.L.C.**

3 A Professional Limited Liability Company
4 One Renaissance Square
5 Two North Central Ave.
6 Phoenix, AZ 85004-2393
7 Telephone: (602) 262-5911

8 Attorneys for Salt River Project

9 **BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION**
10 **LINE SITING COMMITTEE**

11 IN THE MATTER OF THE
12 APPLICATION OF SALT RIVER
13 PROJECT, OR THEIR ASSIGNEE(S), IN
14 CONFORMANCE WITH THE
15 REQUIREMENTS OF THE ARIZONA
16 REVISED STATUTES 40-360.03 AND 40-
17 360.06 FOR A CERTIFICATE OF
18 ENVIRONMENTAL COMPATIBILITY
19 AUTHORIZING THE CONSTRUCTION
20 OF NATURAL GAS-FIRED, COMBINED
21 CYCLE GENERATING FACILITIES
22 AND ASSOCIATED INTRAPLANT
23 TRANSMISSION LINES, SWITCHYARD
24 IN GILBERT, ARIZONA LOCATED
25 NEAR AND SOUTHEAST OF THE
26 INTERSECTION OF VAL VISTA DRIVE
AND WARNER ROAD.

CASE NO. 105
DOCKET NO. L-00000B-00-0105

DATA REQUESTS TO INTERVENOR
CHRISTOPHER LABBAN

Applicant Salt River Project submits this data request to you and requests that you provide complete answers to these questions and produce the documents and things requested.

These responses should be delivered to the undersigned counsel for SRP within three days.

This is a continuing request and we request that you promptly supplement your responses in the event that additional information or documents become available.

1. Please state whether you represent a group or organization.
2. If the answer is yes, please identify the group or organization name and describe the nature of the group or organization.

- 1 3. Please provide the names and addresses of each member of the group or
2 organization.
- 3 4. Please state each argument that you intend to raise at the hearing in opposition to
4 SRP's Santan Expansion Project.
- 5 5. For each argument identified in your answer to number four, describe the factual
6 basis for the argument.
- 7 6. For each witness that you intend to present at the hearing state:
8 a. The witness name and address
9 b. The witnesses qualifications as they pertain to the testimony
10 c. A summary of the expected testimony of the witness
11 d. The identification of any exhibits or reports which will be used or referenced
12 by the witness.
- 13 7. Please provide the name and address of the attorney or attorneys who will represent
14 you in these proceedings.
- 15 8. Please identify and produce each exhibit which you intend to introduce at the
16 hearing.

17 RESPECTFULLY SUBMITTED this 28th day of September, 2000.

18 JENNINGS, STROUSS & SALMON, P.L.C.

19
20
21 By: 

22 Kenneth C. Sundlof, Jr.
23 Two North Central Avenue
24 Sixteenth Floor
25 Phoenix, AZ 85004
26 Attorneys for Salt River Project