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Statement to read to the ACC hearing

AZ CORP COMMISSION
DOCKET CONTROL

OPEN MEETING AGENDA ITEM

October 20, 2010

I ask that you, the Arizona Corporation Commission, please do not lift the stay on the CEC for Hualapai Valley Solar. My reasons are as follows:

Water?

ORIGINAL

In June under sworn testimony Mr. Victor of Montgomery and Associates stated that the Hualapai Basin / Aquifer is in depletion/ overdraft. Mr. Victor further stated that the natural recharge is about 2, 000 acre feet a year. A study paid for by the City of Kingman in 1993 states "The present overdraft in the Upper Hualapai Valley is estimated to be about 4,000 acre – feet a year. The USGS report confirms that a cone of depression exists in the Hualapai Valley Aquifer / basin. A cone of depression is formed when the demands for water far exceed the natural recharge. As of today there is still no binding agreement for the sale of effluent, we were told in June, it would be July and now we are told November. The City is offering 50% of the amount needed for Hualapai Valley Solar. Per the ADEQ report the Hilltop treatment plant is approved up to 1 million gallons of effluent a day. With any expansion of the plant, the burden will be on the rate payers in the City of Kingman. Most of the existing homes and new subdivisions are on septic. The Mayor of the City of Kingman stated in testimony there is no infrastructure in place for putting any existing homes on the sewer system. In my testimony I used a 1% conservative rate and it shows it will take the City of Kingman's total connections to the Hilltop Waste Water Treatment Plant 16 years to reach 3000 Acre feet a year in effluent. There is a difference between population growth and total connections to the Hilltop Waste Water Treatment Plant. Since there is no signed agreement between HVS and the City of Kingman to use the effluent, do they have the credibility to be trusted with our water?

Fire District?

Neither Mr. Bartlett nor Mr. LaRow knew if the project is in a fire district. Mr. LaRow testified that **nothing has been budgeted** for fire protection at this stage. I am greatly concerned that the same blow out that occurred at the Segs Plant in Dagget, California could occur at HVS. Fire safety should be a serious concern in the planning and permitting consideration given this plant. The Segs Plant burned to the ground causing serious damage to many acres of land.

I request that when this commission approves the CEC, it should be subject to HVS submitting a fire protection and emergency plan, including but not limited to hydrants capable of producing an output of water at the rate of 1000 gals a minute. Written consultation from a wildland fire chief is strongly advised.

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Existing infrastructure and damage to it?

I asked who would be responsible for maintaining, widening and replacing the "chip seal" roads planned for access to the HVS site. These roads are not asphalt roads. The county used chip seal only to prevent dust. They were to rebuild the roads in asphalt as the traffic demanded in the future. Mrs. Ballard said that any decision for applying asphalt would be up to the county engineers. County Supervisor Gary Watson told the taxpayers that there were **no plans** to improve Stockton Hill Road and in any event, the taxpayers will not pay for infrastructure for HVS. According to Mr. LaRow, HVS has made no plans to improve Stockton Hill Road. This catch twenty-two should be solved and the taxpayers should be informed as to how much it will cost the taxpayers to rebuild and repair this main access to the HVS plant.

Fit and Proper?

At the hearing in June both Mr. Bartlett and Mr. LaRow were asked if they had any further doing with a convicted counterfeiter, both said No! I showed my evidence that states a Mohave County Supervisor praised this convicted counterfeiter for bringing in Hualapai Valley Solar. The land that Hualapai Valley Solar is proposed to be built on is owned by several individuals and is to be **managed by Mr. Jim Rhodes**. Considering the bankruptcies and allegations of corruption surrounding Mr. Rhodes, **giving credence** to his activities would be shaky at best. HVS project Executive Director Mitchell Dong owned and controlled Chronos Asset Management. In January 2008, Mr. Dong paid 2.2 million to the SEC for "late day" trading violations. Chronos was censured by the SEC, and Mr. Dong was suspended from trading on the stock exchange for 1 year. Before issuing the CEC, I request the Commissioners have a hearing with Mr. Dong to see if he is "fit and proper" to receive a 2.2 billion loan of taxpayer dollars. I believe taxpayer dollars **should be protected**.

On October 15, 2010, I spoke to Allison of the Recovery Act Clearing House. I was informed that the Loan Guarantee Program **does not** have a definition for "shovel ready" nor is there a definition for "fast track". This was confirmed by the Head Attorney of the Loan Guarantee program who reviewed the Dept. of Energy language. "Fast track and shovel ready" **are not part of the decision criteria**, and is not identified in the solicitations that are submitted. The saying "shovel ready" and fast track" is a term of art in the public domain. The reason I feel that by allowing this CEC to go forth at this time, is placing the cart before the horse. The reports are not ready. According to the Lead Attorney of the Loan Guarantee program based on review, there is **no wording** of "fast track" or "shovel ready". HVS has stated they have applied for Government Loans, **not stimulus grants**.

HVS wants the State of Arizona to approve this project before we know what impact the plant will have on the community's health, safety and welfare.

I request that this "stay" of the original CEC not be lifted for the following reasons; Due to the "material" changes of the original water analysis of adequate water supply that was present for the Rhodes at Red Lake Housing Development, according to the ADWR report, a new analysis of water must be done. **No** new analysis has been prepared or submitted.

An Environmental Impact statement **must be produced**. HVS states that **no particulate matter** will be produced during the water cooling process of the plant. After experiencing the pollution caused by the cooling process of the North Star Steel Plant in my neighborhood, I question their statements in reference to particulate matter and the safety of **our beloved special status bats**.

In Mohave County there is solar competition that **has been approved**, that will be using "the Sterling" technology or "dry cooling" and this project appears to receive the approval of the residents.

Thank you for allowing me the pleasure to address you today.

Sincerely,

Susan A. Moore – Bayer "Intervener"
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