

POLLUTION CONTROL
& ECOLOGY COMMISSION
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BEFORE THE ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

IN RE: REQUEST BY THE SOUTHWESTERN)
ELECTRIC POWER COMPANY)
TO INITIATE RULEMAKING TO) DOCKET NO. 14-007-R
AMEND REGULATION NO. 2)

**SOUTHWESTERN ELECTRIC POWER COMPANY'S MOTION FOR THE
ADOPTION OF PROPOSED AMENDMENTS TO REGULATION NO. 2**

Southwestern Electric Power Company ("SWEPCO"), in support of its Motion for the Adoption of Proposed Changes to the Arkansas Pollution Control and Ecology Commission's ("APCEC" or "the Commission") Regulation No. 2 to (a) amend the total dissolved solids ("TDS") and temperature water quality criterion for the Little River from Millwood Lake to the mouth of the Little River; and (b) amend the TDS water quality criteria for and removal of the designated domestic water supply use for the Red River from the mouth of the Little River to the Arkansas/Louisiana state line submits the following:

1. By Minute Order 14-33, dated September 26, 2014, the Commission granted SWEPCO's Petition to Initiate Third-Party Rulemaking.
2. Public notice of the rulemaking was published in the *Arkansas Democrat-Gazette* on October 1 and 2, 2014. On November 17, 2014 a public hearing was held at 6:00 p.m. at the Washington Suite in Hempstead Hall, University of Arkansas Community College at Hope, 2500 S. Main Street, Hope, Arkansas. The deadline for submitting written public comments was December 3, 2014. In compliance with Minute Order 14-33, SWEPCO filed its Statement of Basis and Purpose on May 20, 2015. See Exhibit A attached hereto. On May 20, 2015

SWEPCO filed its Response to Comments and ADEQ filed its Responsive Summary on August 6, 2015. *See* Exhibit B attached hereto.

3. Attached hereto as Exhibit C is the final proposed amendments to APCEC Regulation No. 2.

4. On September 8, 2015, SWEPCO's proposed amendments to APCEC Regulation No. 2 were reviewed by the Joint Senate and House committee on Public Health, Welfare, and Labor. On September 23, 2015, the proposed amendments were reviewed and approved by the Administrative Rules and Regulation Subcommittee of the Arkansas Legislative Council and on September 25, 2015, the matter was approved by the Arkansas Legislative Council. *See* Regulations Tracking Sheet attached hereto as Exhibit D.


5. On March 2, 2015, SWEPCO was notified that its proposed amendments had been approved by the Office of the Governor. *See* Exhibit E attached hereto.

6. Attached hereto as Exhibit F is the proposed Minute Order adopting the amendments to APCEC Regulation No. 2 requested by SWEPCO in its Petition to Initiate Third-Party Rulemaking.

WHEREFORE, Southwestern Electric Power Company respectfully asks this Commission to adopt the amendments to APCEC Regulation No. 2 set forth in Exhibit C attached hereto.

Respectfully submitted,

MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, PLLC
425 W. Capitol Avenue, Suite 1800
Little Rock, Arkansas 72201-3525
(501) 688-8800
mtaylor@mwlaw.com


By: 
Marcella J. Taylor, AR Bar No. 82156
Allan Gates, AR Bar No. 72040

Counsel for Southwestern Electric Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September, 2015, I served a copy of the foregoing Motion for the Adoption of Proposed Amendments to Regulation No. 2 on the following by electronic service:

Lorielle Gutting, Esq.
Chief, Legal Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118
gutting@adeq.state.ar.us



Marcella J. Taylor