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Executive Director

**ARIZONA CORPORATION COMMISSION**

September 19, 2007

The Honorable Bobby Bryant  
Mayor, Town of Buckeye  
1101 E. Ash Ave  
Buckeye, AZ 85326

Dear Mayor Bryant:

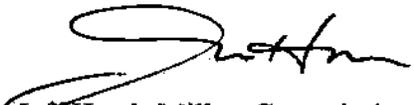
I am writing you to encourage the Town of Buckeye to consider adopting an ordinance prescribing setbacks from the potential Transwestern pipeline. While there has been much discussion about the route of the pipeline and how it may negatively impact planned residential developments, we must also look at safety concerns for the future. As the areas around the future pipeline continue to be developed, no matter where it may be finally sited, encroachment on the pipeline will be unavoidable. Therefore, I strongly encourage Buckeye to establish buffer zones between pipelines and development and institute risk mitigation plans before these issues arise.

The Commission has no constitutional or statutory role on municipal zoning and planning issues. That important responsibility lies with Buckeye alone. And when it comes to public safety, Buckeye can dictate the appropriate setbacks and easements for land use and development. A buffer zone of 100 feet would be desirable and prudent. Under its zoning authority, Buckeye has the opportunity to prevent a serious encroachment issue from emerging in the event of a potential pipeline break or explosion.

Development near pipelines expands the risk of pipeline damage and raises the stakes in the event of a pipeline incident. As a member of the U.S. Department of Transportation's Pipeline Safety Standards Committee and a Commissioner at the Arizona Corporation Commission, I take the issue of pipeline safety very seriously. To that end, municipalities should take note of potential encroachment on pipelines when planning for land use and making zoning decisions.

I am certain that you and your council members share my concerns regarding the soundness of our land use choices, especially when the safety of our citizens may be in question. Thank you for your attention to this matter.

Sincerely,

  
Jeff Hatch-Miller, Commissioner  
Arizona Corporation Commission

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Cc: Vice Mayor Levi Beard  
Councilmember Dave Rioux  
Councilmember David Hardesty  
Councilmember Elaine May  
Councilmember Dr. Robert Doster  
Councilmember Robert Garza  
Chairman Mike Gleason  
Commissioner William Mundell  
Commissioner Kristin Mayes  
Commissioner Gary Pierce  
Federal Energy Regulatory Commission