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## ARIZONA CORPORATION COMMISSION

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### **Commission to Weigh in on EPA Regional Haze Rules Affecting Arizona Generating Plants**

*Will file Amicus Brief in 9<sup>th</sup> Circuit case for Apache, Cholla and Coronado Plants,  
And Comments in EPA Proposal for Navajo Generating Station*

PHOENIX, AZ—The Arizona Corporation Commission today voted that they would weigh in on the EPA’s actions regarding Regional Haze Requirements on Arizona generating plants.

In their first motion, the Commission approved the filing of an amicus brief in the 9<sup>th</sup> Circuit Court of Appeals related to petitions filed by Arizona entities challenging the December 5, 2012 Environmental Protection Agency’s (EPA) Final Rule for Regional Haze State and Federal Implementation Plans for Apache, Cholla, and Coronado Generating Plants. The Commissioners also pledged their support for Arizona companies in any further processes before the EPA in these matters.

In a second motion, the Commission also voted to file comments on the EPA’s February 5, 2013 proposed rule for Regional Haze Requirements for the Navajo Generating Station. Comments are due to the EPA by August 5, 2013.

“The Commission voted today to file an Amicus Brief to support the entities challenging an out-of-control Environmental Protection Agency that is putting Arizona ratepayers at risk. The EPA is not balancing environmental stewardship with the economic realities faced by Arizonans. Instead, by blithely disregarding the input of the Arizona Department of Environmental Quality and Arizona stakeholders, the EPA is on a path to damaging severely Arizona's economy,” said **Chairman Bob Stump**. “The Commission will not stand by idly as the federal government puts our state's economy at risk.”

“I am concerned that the EPA is promulgating rules that are dubious in nature but expensive for Arizona's ratepayers. These rules threaten jobs at Navajo, Cholla, Coronado and Apache Generating Stations. In addition, there will be an adverse impact for the Central Arizona Project,” said **Commissioner Brenda Burns**. “The Commission will do what it can to speak up for Arizona ratepayers when they are faced with unfairly punitive federal measures.”

“The EPA has proposed new rules that will add hundreds of millions of dollars of environmental costs to coal-fired generating plants in Arizona, without significantly improving the environment,” said **Commissioner Gary Pierce**. “The 1977 Regional Haze law passed by Congress gave the states—not the EPA—the authority to implement regional plans to conform to the Clean Air Act. The EPA’s proposed rules not only override the State’s authority, it does so at a cost that is hundreds of millions of dollars and will lead to the closure of some plants that cannot afford the unnecessary retrofits. Both of which will lead to higher electricity rates for Arizona’s citizens.

“The Central Arizona Project (CAP) gets 90% of its power from the Navajo Generating Station. These rules would create a significant increase in the cost of power, which means a significant increase in

the cost of water to Arizona's major population centers," said **Commissioner Bob Burns**. "The EPA's proposed rules would seriously cripple the economy of this state."

"The cost effective survival of the Navajo Generating Station and other coal fired power plants is vital to Arizona's energy and water future," said **Commissioner Susan Bitter Smith**. "It is the role of this Commission to ensure that Arizona rate payers are not victimized by overreaching Federal agency decisions."

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