

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

Secretary
Arkansas Pollution Control and Ecology
101 East Capitol, Suite 205
Little Rock, AR 72201
Filed 8/11/17 9:50 a.m.

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 amend the TDS water quality criteria for the Red River from the mouth of the Little River to the Arkansas/Louisiana state line submits the following:

1. By Minute Order 17-05, dated January 27, 2017, the Commission granted SWEPCO's Petition to Reopen the Docket in SWEPCO's Third-Party Rulemaking to Amend Regulation No. 2 (hereinafter "SWEPCO's Petition to Reopen the Docket").
2. Public notice of the rulemaking was published in the *Arkansas Democrat-Gazette* on January 31 and February 1, 2017. On March 20, 2017 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 March 30, 2017. In compliance with Minute Order 17-05, SWEPCO filed its Statement of Basis and Purpose and its Response to Comments May 10, 2017. *See* Exhibit A attached hereto. On June 6, 2017 ADEQ filed its Amended Responsive Summary. *See* Exhibit B attached hereto.

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

4. On July 10, 2017, 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 August 15, 2017, the proposed amendments will be reviewed by the Administrative Rules and Regulation Subcommittee of the Arkansas Legislative Council, and on August 18, 2017, the matter will be before that Arkansas Legislative Council for approval. SWEPCO believes that this matter will pass the Administrative Rules and Regulations Subcommittee and receive approval from the Arkansas Legislative Council. If this does not occur, SWEPCO will withdraw this Motion for Adoption. *See Regulations Tracking Sheet attached hereto as Exhibit D.*

5. On January 4, 2017, SWEPCO was notified that its proposed amendments had been approved by the Office of the Governor. See Exhibit D attached to SWEPCO's Petition to Reopen the Docket.

6. Attached hereto as Exhibit E is the proposed Minute Order adopting the amendments to APCEC Regulation No. 2 requested by SWEPCO in its Petition to Reopen the Docket.

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,

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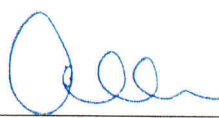

Marcella J. Taylor, AR Bar No. 82156

Counsel for Southwestern Electric Power Company

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August, 2017, I served a copy of the foregoing Motion for the Adoption of Proposed Amendments to Regulation No. 2 on the following by electronic service:

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