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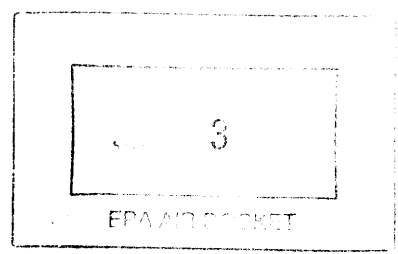


Arizona Electric Power Cooperative, Inc.

P.O. Box 670 • Benson, Arizona 85602-0670 • Phone 520-586-3631

July 3, 2002

Air and Radiation Docket and Information Center (6 102)
Attention: Docket Number A-2000-5 1
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460



RE: DOCKET NUMBER A-2000-51 -- COMMENTS ON PROPOSED REVISIONS TO 40
CFR 51.309 OF THE REGIONAL HAZE RULE

Arizona Electric Power Cooperative, Inc. (AEPCO) is a customer-owned electric utility with approximately 300 employees headquartered in Benson, Arizona. We are the owner/operator of Apache Generating Station (Apache Station), a 520 MW generating station with two gas/coal-fired steam electric generation units, one gas/oil-fired combined cycle steam generation unit, and two gas/oil-fired turbine units. Apache Station supplies power to six electric distribution cooperatives serving more than 270,000 people in portions of Arizona, California and New Mexico.

AEPCO has reviewed the proposed revisions to the Regional Haze Rule (RHR) published in the Federal Register on May 6, 2002 (see 67 Fed. Reg. 304 18). AEPCO would be directly affected by adoption of these revisions as Apache Station is located in Arizona and the power plant's coal-fired generating units have been included in the planning process that produced the regional SO₂ emission reduction milestones EPA proposes to approve. Consequently, we wish to submit our endorsement of the comments prepared by WEST Associates, dated July 3, 2002. AEPCO is a long-time member of WEST Associates, an organization established over 30 years ago as a venue for western electric utilities to plan and develop generation and transmission facilities throughout the region. Today, WEST Associates is comprised of 17 public and private utilities throughout the western United States that together serve over 25 million customers.

Specifically, we wish to echo the concerns expressed by WEST Associates that EPA has not fully considered the ramifications of the *American Corn Growers* litigation on the long-term viability of the Annex document submitted by the Western Regional Air Partnership. AEPCO and many other entities have invested significant time and effort to produce this regional plan for visibility improvement and we believe it should be preserved. However, the *Corn Growers* decision does raise some significant legal questions with regard to how the RHR's "group BART" language is associated with the western region's SO₂ reduction milestones. These questions should be addressed to ensure that the provisions of the Annex are not vulnerable to legal challenge upon implementation. Thus, we encourage EPA to take the necessary time to conduct this exercise before the Annex provisions are incorporated into State Implementation Plans.



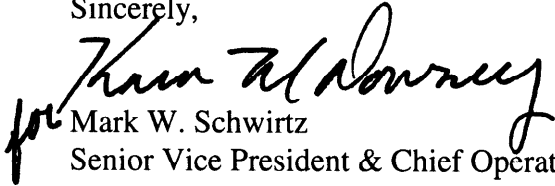
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If you have any questions regarding these comments, please contact Kara Downey at (520) 586-363 1.

Sincerely,

for Mark W. Schwartz
Senior Vice President & Chief Operating Officer

Via Certified Mail(RRR): 7001 I940000498508426

c/ J. Andrew

K. Downey

R. Hewlett

D. Kimball

File: Organizations, EPA