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BEFORE THE
ARKANSAS PUBLIC SERVICE COMMISSION

FILED

IN THE MATTER OF THE APPLICATION OF)
SOUTHWESTERN ELECTRIC POWER)
COMPANY FOR A CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY AND)
PUBLIC NEED FOR THE CONSTRUCTION)
OWNERSHIP, OPERATION AND)
MAINTENANCE OF A COAL-FIRED)
BASELOAD GENERATING FACILITY IN)
HEMPSTEAD COUNTY, ARKANSAS)

DOCKET NO. 06-154-U

PETITION TO INTERVENE

Emon A. Mahony, Jr., appearing on behalf of himself as a landowner , and as a shareholder of the Yellow Creek, Po-Boy, Cypress Bayou and Bee Bayou Hunting Clubs, is and has been for thirty-two years a part time resident of Hempstead County. In support of his petition, Mahony states as follows:

1. The application of Southwestern Electric Power Company (“SWEPCO”) for a Certificate of Environmental Compatibility and Public Need for the Construction, Ownership, Operation and Maintenance of a Coal Fired Baseload Generating Facility in Hempstead County, Arkansas was initiated by SWEPCO on December 8, 2006. This Petition to Intervene is timely filed.

2. Mahony is a shareholder in hunting clubs in Hempstead County.

Yellow Creek Corporation, Po-Boy, Cypress Bayou Corporation and Bee Bayou are corporate hunting clubs located very near the proposed facility. Their lands are roughly bounded by Little River, Yellow Creek the Kiamichi Railroad, Arkansas state highway 355, Hempstead County Hunting Club and Arkansas state highway 32. Mahony (and the other members of the clubs) own lands in Hempstead County for the purpose of enjoying hunting and fishing opportunities, bird watching, hiking and general use of the outdoors. The listed incorporated clubs, and Hempstead County Hunting Club, own some sixteen thousand contiguous acres in the area. Yellow Creek owns a portion of Grassy Lake which is known for its unusual fauna and flora and for being the largest natural Cypress area in the state of Arkansas. It has been recognized for years as an unusual and pristine area, containing habitat for rare species, including the Ibis, the largest population of alligators in Arkansas (which) inhabit the whole area, Night, Blue and Green Herons, Wood Storks, the American Bald Eagle and the Black Bellied Whistling Duck, which breeds in the area. Cypress Bayou contains the Thrash Tract, which is one of the few areas in Southwest Arkansas in which the timber has never been harvested. All of

the clubs petitioning herein draw water from Little River pursuant to Arkansas Natural Resource Commission permits, and United States Army Corps of Engineers Section 404 permits for the purpose of flooding green timber during duck season. Yellow Creek waters are also used by the clubs for the same flooding. The clubs have long protected their environments in a cooperative fashion, and were the subject of the first water allocation proceeding under the first State Water Plan.

3. Mercury has long been known to be a toxic metal. The Environmental Protection Agency of the United States of America has issued a National Advisory for mercury which warns against consumption of fish above certain levels due to mercury. The same agency has found that most of the mercury which finds its way into the streams, lakes and waterways of the United States originates in the smokestacks of coal burning power plants, such as the one sought to be licensed in this proceeding. It is rational to assume that much in the same manner mercury in fish tissue further concentrates in man that it would also concentrate in alligators and fish consuming birds, including the American Bald Eagle, which also frequents the area, all of which consume a higher proportion of their diet as fish than do humans.

4. It is noted that pursuant to A. C. A. Section 23-18-514 state agencies

have been notified and invited to comment. It is further noted that A. C.

A. Section 23-18-527 further requires said state agencies and departments to assist the Arkansas Public Service Commission in discharging its duties under the laws of the State of Arkansas.

5. The watersheds of Yellow Creek and the Little River are such that there is an unique opportunity to study not only the extent to which mercury discharges impact fish populations, but also to make a determination of differing impacts, if any, on watersheds according to proximity to the discharge point. If permitted to intervene, a request will be made that SWEPCO pay for an appropriately fashioned study to determine base line data before construction, and measure changes in mercury levels in fish and in other fauna in the area. State agencies appear to have an obligation to assist in such a study.

6. The clubs and Mahony will be adversely impacted by the environmental impact of mercury discharged into the atmosphere in the vicinity of these lands. The withdrawal of 6000 gallons of water per minute from the Little River will adversely impact the availability of water for hunting purposes as many years the Little River water is insufficient for timely flooding the woods. We have noted that no mention is made by SWEPCO of the impact of mercury emissions on the

club's environment, nor of acid rain, nor of global warming, and as such the application is fatally flawed.

7. Mahony can not be adequately represented by any other party because of his multiple interests in the clubs and in individual land holdings.

Therefore, he wishes an opportunity to be heard on the matters at issue herein, and participate in this proceeding.

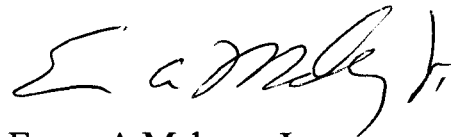
8. The following persons should be included on the official service list in this proceeding should they be permitted to intervene, and all communications concerning this petition should be addressed to the

following:

Emon A. Mahony, Jr.
106 West Main, Suite 406
El Dorado, AR 71730
870 8626464
Fax 870 8630422

THEREFORE, Mahony requests that he be permitted to intervene as a party in this proceeding, with all rights attendant thereto.

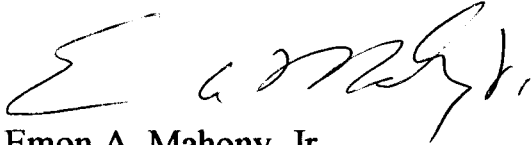
Respectfully submitted,



Emon A Mahony Jr

CERTIFICATE OF SERVICE

I, Emon A. Mahony, Jr., hereby state that a copy of the foregoing pleading was served on the parties of record by U. S. Mail, postage prepaid, on this third day of January, 2007.

A handwritten signature in black ink, appearing to read 'E. Mahony, Jr.', written in a cursive style.

Emon A. Mahony, Jr.