

ARKANSAS PUBLIC SERVICE COMMISSION

**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 THE PROPOSED 345)
KV TRANSMISSION LINE BETWEEN THE)
SHIPE ROAD STATION AND THE)
PROPOSED KINGS RIVER STATION AND)
ASSOCIATED FACILITIES TO BE)
LOCATED IN BENTON, CARROLL,)
AND/OR MADISON AND WASHINGTON)
COUNTIES, ARKANSAS)**

DOCKET NO. 13-041-U
ORDER NO. 35

ORDER

On April 3, 2013, Southwestern Electric Power Company (SWEPCO) filed with the Arkansas Public Service Commission (Commission) an Application for a Certificate of Environmental Compatibility and Public Need (CECPN) to construct a new 345 kV transmission line from its Shipe Road Station in Benton County, Arkansas, to its proposed Kings River Station in Carroll County, Arkansas. Numerous parties, including the non-profit corporation Save the Ozarks (STO), participated as intervenors and filed testimony in the Docket; and thousands of public comments were also received. A hearing was held from August 26 - 30, 2013, before Commission Administrative Law Judge Connie Griffin, sitting as presiding officer (PO) pursuant to designation by the Commission. In January 2014, the PO entered Orders 32 and 33 approving the Application with certain conditions. Pursuant to Rule 4.06 of the Commission's Rules of

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Practice and Procedure (RPPs), the PO's order became the final order of the Commission.

On March 14, 2014, SWEPCO filed a petition for rehearing of Order Nos. 32 and 33; and on March 18, 2014, STO also filed a petition for rehearing. SWEPCO generally asks the Commission to grant the Application but to approve a different route for the transmission line than the one authorized by the PO. STO generally contends that the Application should be denied. Several parties filed responses to the petitions of SWEPCO and STO.

Under Ark. Code Ann. § 23-2-422, the Commission is authorized to take appropriate action on a rehearing petition, including granting or denying rehearing, affirming or modifying its order, or reopening the record for the purpose of receiving additional evidence. The RPPs similarly provide that:

"(d) In response to an application for rehearing, the Commission may:

- (1) uphold the order without modification;
- (2) modify or clarify the order without further hearing based on the existing record;
- (3) upon notice to the Parties, reopen the Docket for the receipt of further evidence on particular issues;
- (4) reverse the order in whole or in part;
- (5) issue an order granting rehearing solely for the purpose of further consideration; or
- (6) take any other action it deems appropriate."

Rule 4.14 (d).

Pursuant to Ark. Code Ann. § 23-2-422 and Rule 4.14(d), SWEPCO's petition is hereby granted for the purpose of further consideration. STO's petition is also granted for the purpose of further consideration. The Commission will enter a further order within 60 days.


BY ORDER OF THE COMMISSION.

This ~~10th~~ day of April, 2014.



Colette D. Honorable, Chairman

I hereby certify that this order, issued by the Arkansas Public Service Commission, has been served on all parties of record on this date by the following method:

U.S. mail with postage prepaid using the mailing address of each party as indicated in the official docket file, or
 Electronic mail using the email address of each party as indicated in the official docket file.


Olan W. Reeves, Commissioner


Elana C. Wills, Commissioner


Acting Secretary of the Commission