

BEFORE THE 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

PETITION TO INTERVENE

COMES NOW, the City of Cave Springs, and for its Petition to Intervene in this proceeding pursuant to Ark. Code Ann. §23-18-517, as amended, and Rule 3.04 of the Arkansas Public Service Commission (the “Commission”)’s Rules of Practice and Procedure, states as follows:

1. On or about March 26, 2013, Southwestern Electric Power Company (“SWEPCO”) filed its Notice of Filing of Application for Certificate of Environmental Compatibility and Public Need (“Notice of Filing”) and sent a copy of same to the City of Cave Springs under cover letter from SWEPCO’s counsel.

2. On or about April 3, 2013, SWEPCO filed its application for a Certificate of Environmental Compatibility and Public Need (“CECPN”) pursuant to Ark. Code Ann. §2-1-501 *et seq.* and in compliance with Rule 7.08 of the Commission’s Rules of Practice and Procedure. The City of Cave Springs would be impacted by Proposed Route 108 as shown on the map accompanying the application for the CECPN.

3. Pursuant to Ark. Code Ann. §23-18-517, the City of Cave Springs should be granted intervener status in this matter, in that it has an interest that will be directly affected by

the Commission's action, its interest will not be represented by other parties, and it has petitioned the Commission for leave to intervene as a party within thirty (30) days after the date given in the Notice as of the date of filing the application.

4. The City of Cave Springs is concerned with and may therefore address the potential health and safety risks, the potential environmental impacts, and the potential adverse effects upon its residents and businesses associated with the proposed 345 KV transmission line. However, the City of Cave Springs has not yet had adequate time to identify or fully evaluate all of these issues. Therefore, the City of Cave Springs wishes to preserve its rights to make arguments and present evidence to preserve its interests. The City of Cave Springs may also address other issues including the development and desirability of alternate routes, and whether SWEPCO's evidence and testimony supports its asserted need for the transmission line in question.

5. Pursuant to Rule 2.03 of the Commission's Rules of Practice and Procedure, the following person should be notified of all correspondence and filings with the Commission as representative for the City of Cave Springs:

R. Justin Eichmann
Harrington, Miller, Kieklak, Eichmann & Brown, P.A.
113 E. Emma Ave.
Springdale, AR 72764
Phone: 479-751-6464
Fax: 479-751-3715
Email: jeichmann@arkansaslaw.com

WHEREFORE, the City of Cave Springs respectfully prays that this Petition to Intervene be granted and that it be provided notice of all further proceedings in this docket and a full opportunity to participate in these proceedings, and for all other relief as may be appropriate under the premises.

Respectfully Submitted,
City of Cave Springs

By: /s/ R. Justin Eichmann

R. Justin Eichmann
AR Bar No. 2003145
HARRINGTON, MILLER, KIEKLAK,
EICHMANN & BROWN, P.A.
113 E. Emma Ave.
Springdale, AR 72764
(479) 751-6464
jeichmann@arkansaslaw.com

CERTIFICATE OF SERVICE

I, R. Justin Eichmann, attorney for the City of Cave Springs, state that I have on this 2nd day of May, 2013, provided a true and correct copy of the above and foregoing instrument to all parties of record electronically, by first class mail or both.

/s/ R. Justin Eichmann
R. Justin Eichmann

David R. Matthews
Sarah L. Waddoups
Attorneys for SWEPCO
Matthews, Campbell, Rhoads, McClure &
Thompson, P.A.
119 S. 2nd St.
Rogers, AR 72756
drm@mcrmt.com
slw@mcrmt.com

Elizabeth D. Stevens
Regulatory Consultant – SWEPCO
P.O. Box 21106
Shreveport, LA 71156-1106
edstephens@aep.com

Dawn Guthrie
APSC General Staff Counsel
1000 Center
P.O. Box 400
Little Rock, AR 7221
dguthrie@psc.state.ar.us

Pending Party: Charles E. Crawford Revocable
Trust
Bryce Crawford
The Williams Law Group
4201 W. New Hope Road, Suite 202
Rogers, AR 72758
bcrawford@wh-lawfirm.com

Pending Party: for Sims, Glen
Lawrence Chisenhall, Jr.
Chisenhall, Nestrud, and Julian, P.A.
400 West Capital Ave., Suite 2840
Little Rock, AR 72201
lchisenhall@cnjlaw.com

Connie Griffin
Administrative Law Judge for APSC Presiding
Officer
ASPC Commissioners' Staff
1000 Center Street P.O. Box 400
Little Rock, AR 72201
connie.griffin@psc.state.ar.us

N.M. Norton
Eric Berger
Wright, Lindsey & Jennings LLP
3333 Pinnacle Hills Parkway, Suite 510
Rogers, Arkansas 72758
mnorton@wlj.com

Brandon Cate
Counsel for Coughlin Family Revocable
Living Trust
Quattlebaum, Grooms, Tull & Burrow
4100 Corporate Center Drive, Suite 310
Springdale, AR 72762
bcate@qgtb.com

James D. Rankin III
Perkins & Trotter, PLLC
P.O. Box 251618
Little Rock, AR 72225-1618
jrankin@perkinstrotter.com

Joanne McCracken
221 North 3rd Street
Rogers, AR 72756
joanne@jmjmlaw.com

Pending Party: Sims, Glen
Glen Sims
709 CR 206
Eureka Springs, AR 72632
gssims@prodigy.net

Pending Party: Tom Oppenheim
Timothy C. Hutchinson
P.O. Box 1788
Fayetteville, AR 72702
thutchinson@rmpllp.com

Mr. Richard H. Mays
Richard Mays Law Firm, PLLC
116 South Third Street
Heber Springs, AR 72543
rhmay@richardmayslawfirm.com

Cynthia Coughlin
Coughlin Family Revocable Living Trust
P.O. Box 129
Centerton, AR 72719-0129
cynthia@arkansas.net

Andrew P. Becker and Jorge A. Becker
14800 Shipe Road
Gravette, Arkansas 72736