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Arizona Electric Power Cooperative, Inc.

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

November 30, 2011

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
Attn: STB Docket No. EP 526 *Sub 3*
395 E Street, S.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
NOV 30 2011
PART OF
PUBLIC RECORD

Re: Ex Parte No. 526, Notice of Railroad-Shipper Transportation Advisory Council Vacancy

Dear Ms. Brown:

I am pleased to nominate, and highly recommend, Robert A. Hewlett, Esq. to serve as a member of the Surface Transportation Board's Railroad-Shipper Transportation Advisory Council (RSTAC).

Bob Hewlett has been actively and closely involved in rail shipper matters for almost 35 years in his work for Arizona Electric Power Cooperative, Inc. (AEPCO) in various senior counsel positions, and more recently as Senior Vice President and Chief Operating Officer for our sister cooperative, Sierra Southwest Cooperative Services, Inc.

RSTAC was established by Congress to focus on rail transportation policy matters, with a focus on issues of importance to smaller shippers and railroads. I understand that RSTAC consists of a broad cross-section of rail service providers and consumers. I can think of no better person than Bob Hewlett to serve on the Council, and to help identify and address railroad policy issues of consequence to railroads, shippers, and the public.

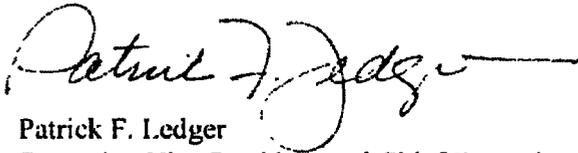
AEPCO is an essential provider of power in Arizona. AEPCO was formed as a nonprofit rural electric generation and transportation cooperative to provide electricity service to areas that investor-owned utilities did not want to serve -- including rural, low-density areas with very low average income populations and fixed-income retirees. AEPCO consumes about 1.2 million tons of coal annually as an electric generating fuel, and is a "captive shipper" because its coal purchases can be delivered by only one railroad. While 1.2 million tons may seem large, from our railroad service providers' perspectives, AEPCO is essentially a small shipper, and we have had to fight very hard to keep our costs reasonable. Our transportation costs remain one of our highest costs of producing electricity, and to keep those costs reasonable, AEPCO has engaged in nearly continuous discussions (and struggles) with its rail carriers to secure and retain reasonable freight rates.

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For almost 35 years, Bob has helped lead AEPCO's efforts to obtain reasonable rates and service terms from railroads. Given Bob's knowledge and expertise of the issues RSTAC considers, he would be an invaluable member of the Council. Bob would do an excellent job in representing the interests of the rail consumers of the region, and all public and non-public providers of power. Additionally, Bob is well regarded in the industry, and he would help foster an open dialogue among railroads and consumers.

I highly recommend Bob Hewlett to be nominated to RSTAC, and commend him to your favorable consideration.¹ I have attached a copy of Bob's resume, as well as a summary of some of Bob's major activities and accomplishments in the rail industry over the years.

Respectfully yours,



Patrick F. Ledger
Executive Vice President and Chief Executive Officer

Enclosures

¹ Bob is willing to serve as a member of RSTAC for a three-year term beginning immediately upon appointment and ending December 31, 2014.

ROBERT A. HEWLETT

3130 North Avenida del Conejo, Tucson, Arizona 85749 520.749.1567

EMPLOYMENT

SENIOR VICE PRESIDENT AND CHIEF OPERATING OFFICER MAY 1999 TO PRESENT
Sierra Southwest Cooperative Services, Inc. Benson, Arizona

- Responsible for the operations of Sierra Southwest Cooperative Services, Inc. in all of its activities.

**ASSISTANT GENERAL MANAGER -
LEGAL & ENVIRONMENTAL AFFAIRS** JANUARY 1990 TO MAY 1999
Arizona Electric Power Cooperative, Inc. Benson, Arizona

- Managed extensive investigation of past environmental activities at power generating station, resulting in exoneration by state regulatory agency.
- Assumed responsibility for company's environmental permitting and compliance.
- Responsible for successful permitting of new combustion waste disposal facility, including Arizona Aquifer Protection permit, and associated Federal permits.
- Implemented first formal Environmental Compliance Plan for company.
- Negotiated major, innovative power supply arrangements for Cargill's North Star Steel mini-mill, Phelps Dodge Corporation's Morenci Mine, and Cyprus Climax's Sierrita Mine.
- Responsible for coal and rail transportation contracting which resulted at that point in the lowest delivered steam coal cost in the Southwest, including "mine mouth" generating plants.
- Responsible for an annual operating budget in excess of \$50,000,000.
- Lead role in developing a complete functional and corporate restructuring plan for the company, including revision of its wholesale power sales relationships with its members in order to facilitate success in the new deregulated, open access electric supply market.

CORPORATE COUNSEL FEBRUARY 1988 TO JANUARY 1990
Arizona Electric Power Cooperative, Inc. Benson, Arizona

- Lead role in development of strategic plan and organizational implementation.
- Managed complex litigation on behalf of company.
- Negotiated major power sale to Salt River Project.
- Responsible for closing and reclamation of an operating coal mine in New Mexico.

MANAGER OF LEGAL AND ADMINISTRATIVE SERVICES MAY 1977 TO FEBRUARY 1988
Arizona Electric Power Cooperative, Inc. Benson, Arizona

- Responsible for general corporate and administrative law matters, litigation, and regulatory activities, in conjunction with general counsel.
- Appear before the Rural Electrification Administration, the Arizona Corporation Commission, the Interstate Commerce Commission, and the Federal Energy Regulatory Commission.
- Provide judicial review of administrative orders.
- Prepare wholesale power contracts and related agreements.
- Supervise and control coal and rail transportation procurement.

- Oversee purchasing, personnel, labor relations, public relations, and facilities services for the cooperative.

ATTORNEY AT LAW **SEPTEMBER 1971 TO MAY 1977**
Gentry, McNulty, Borowiec, Hewlett & Desens *Bisbee, Arizona*

- Advised on general corporate, commercial, probate, and administrative law.
- Conducted trial preparation and appeared at trial, including appellate review.
- Extensive experience in the commercial aspects of mining law and venture formation.

MANAGEMENT ASSISTANT **MARCH 1969 TO MAY 1971**
Sierra Mineral Management *Tucson, Arizona*

- Provided corporate operations support and accounting services.
- Prepared mining contracts.

COMPUTER ANALYST **SEPTEMBER 1965 TO AUGUST 1968**
Computech Research, Ltd. *Tucson, Arizona*

- Performed computer analysis, and programming services in FORTRAN, for determination of mineral reserves and other mining applications.

EDUCATION

JURIS DOCTOR **YEAR ATTAINED 1971**
University of Arizona *Tucson, Arizona*

BACHELOR OF ARTS - ECONOMICS **YEAR ATTAINED 1967**
University of Arizona *Tucson, Arizona*

BACHELOR OF SCIENCE - MATHEMATICS **YEAR ATTAINED 1967**
University of Arizona *Tucson, Arizona*

MILITARY SERVICE

UNITED STATES ARMY RESERVE/ARIZONA NATIONAL GUARD **1968-1974**

PROFESSIONAL AFFILIATIONS

PRESIDENT **FEBRUARY 1986 TO 1989**
Western Coal Traffic League

MEMBER EXECUTIVE BOARD **FEBRUARY 1984 TO 1987**
Consumers United for Rail Equity

MEMBER, RURAL ELECTRIFICATION ADMINISTRATION
CONTRACT AND PROCEDURES REVIEW COMMITTEE
G&T Managers' Association

JANUARY 1980 TO 1987

MEMBER
Arizona State Bar Association

SEPTEMBER 1971 TO PRESENT

MEMBER
Cochise County Bar Association

SEPTEMBER 1971 TO PRESENT

MEMBER
American Bar Association

SEPTEMBER 1971 TO PRESENT

COMMUNITY SERVICE

PRESIDENT
Cochise County Association for the Handicapped

1973 TO 1977
Bisbee, Arizona

MEMBER
Cochise County Association for the Handicapped

NOVEMBER 1971 TO MAY 1977
Bisbee, Arizona

BOARD OF DIRECTORS
Bisbee Country Club

1972 TO 1976
Bisbee, Arizona

FUND RAISING
Young Men's Christian Association

1983 TO 1986
Tucson, Arizona

COACH
Little League Baseball

1984 TO 1987
Tucson, Arizona

ROBERT A. HEWLETT

- Mr. Hewlett was the lead witness in 1980 for western coal shippers in the hearings before the Senate Commerce Committee in Washington, D.C. which led to the enactment of the Staggers Rail Act of 1980.
- Mr. Hewlett was President, Western Coal Traffic League 1986 - 1989.
- Mr. Hewlett was a member of Executive Board, Western Coal Traffic League, 1978 - 2010.
- Mr. Hewlett was an organizer and charter member of the Executive Board of Consumers United for Rail Equity 1984 - 1987.
- Mr. Hewlett served as Chairman, Special Shippers Committee to review the proposed new Uniform Rail Cost System, Ex Parte No. 431.
- Mr. Hewlett is recipient of the David Laffere Award for Distinguished Service to Electric Power Consumers. (2011).