

Request for Special Temporary Authority and Expedited Processing of Request

By the instant application (“STA Request”), Phelps Dodge Corporation d/b/a Phelps Dodge Mining Company (“Phelps Dodge”) requests that the Commission grant special temporary authority (“STA”) to permit Phelps Dodge to operate the facilities (the “Facilities”) specified in the instant STA Request until such time as Phelps Dodge files with the Commission an application for permanent authority (“Application For Permanent Authority”) to operate the Facilities and obtains grant of such Application For Permanent Authority.

STA is requested for a period of six (6) months from the date of grant of this STA Request, or until such time as Phelps Dodge files, and the Commission acts upon, the Application For Permanent Authority to be filed with the Commission in the near future.

1. Purpose of the Operation

The instant STA Request seeks authority to test on a trial basis a new product known as the Slope Stability Radar (SSR) system designed and manufactured by GroundProbe Pty. Ltd. of Australia. The SSR is a tool for monitoring the movement characteristics of a slope or open pit mining highwall. Although these units are currently being employed in Australia, Indonesia, and South Africa, Phelps Dodge requests authority from the Commission to test the functionality and reliability of this technology in the context of its open pit mines in the United States, and to compare SSR computed slope deformation information against existing technology. Phelps Dodge notes that during the initial testing phase of the SSR, it will be leasing the technology from GroundProbe. Should the tests be successful, Phelps Dodge would pursue the possibility of purchasing the technology and becoming both the operator of the technology.

The unit is positioned between 50 to 450 meters from a highwall and will transmit radar and receive reflected radar from the face of the highwall to a single 0.93 m diameter parabolic antenna. These scans are repeated over time and the resulting information processed to determine the deformation of the highwall (precision: ± 0.2 mm std. dev.). The on-board computer system compares the measured deformation characteristics of the wall against user defined criteria and transmits point-to-point radio communication from the remote field unit (SSR) to an engineering office location for analysis and action. A graphic displaying the SSR, and a diagram of the scanning procedure, is set forth after this narrative exhibit.

2. Why STA and Expedited Processing is in the Public Interest

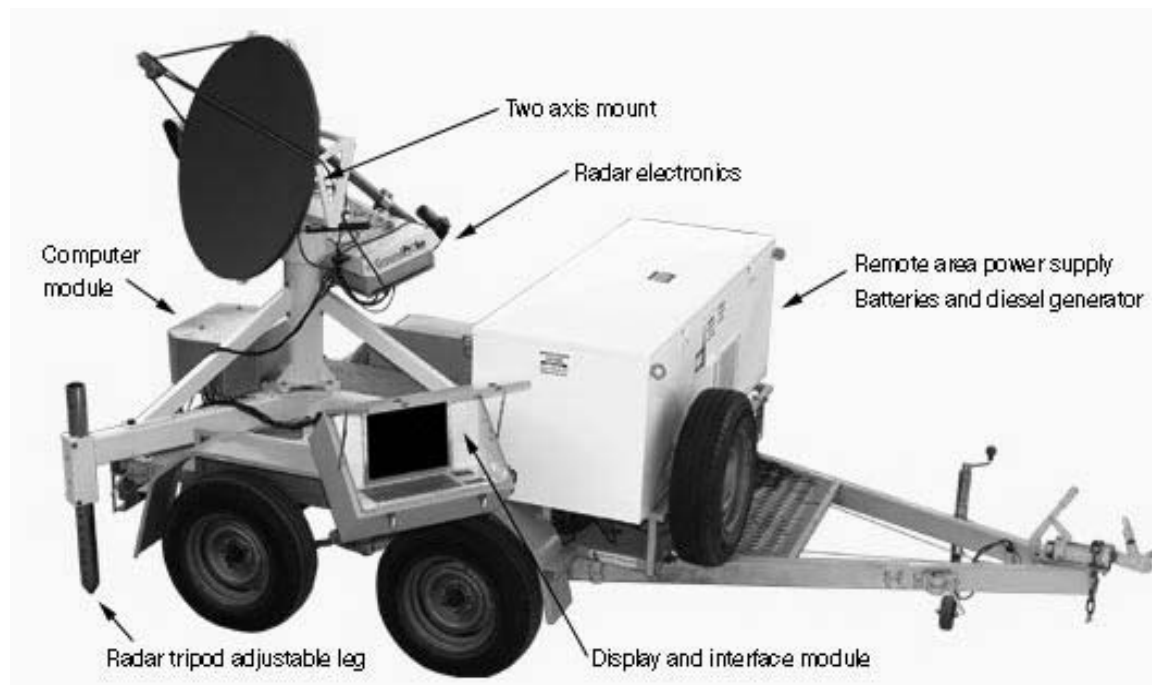
This program may enhance the safety of U.S. miners working in proximity to high cut slopes. Open pit mine slopes pose hazards to those working in proximity to those walls. Current methods of monitoring open pit slopes involve the placement and continuous survey of prism targets or the use of slide wire extensometers; both of these methods allow for discrete point monitoring of a slope only where you can safely manage the placement of the devices. The SSR system provides broad area coverage of a slope without the need for manufactured targets in the area of coverage. Although weather has posed problems for existing slope monitoring methods resulting in loss of information, the use of this radar technology offers a method of acquiring

information on slope movement 24 hours a day in virtually all weather conditions. The use of this device will enhance safety and productivity of open pit mines by expanding the information base on which safety and planning decisions are made. Use of radar technology in this manner is not currently in place in the U.S. today.

Accordingly, because of the potential safety enhancements that this technology may bring to U.S. mine workers, Phelps Dodge respectfully submits that grant of the instant STA Request is in the public interest. In addition, expedited review of the instant STA Request is requested to permit testing of this potentially valuable technology, and therefore implementation of the technology on a widespread basis, to commence as soon as possible. As explained above, Phelps Dodge will be submitting to the Commission in the near future its Application For Permanent Authority seeking to operate the Facilities. STA is requested until such time as the Commission acts upon the Application for Permanent Authority.

For the foregoing reasons, expedited review and approval of this STA Request is in the public interest, convenience and necessity.

SRR Graphic:



SRR Scanning Procedure:

