

United States Senate

WASHINGTON, DC 20510

May 24, 2011

Tim Meeks
Administrator
Western Area Power Authority
P.O. Box 281213
Lakewood, CO 80228-8213

Re: Request to stay Western's decision on Hoover Re-Marketing [76 FR 23583]

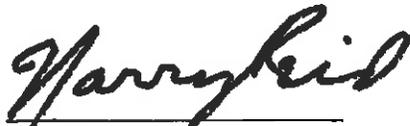
Dear Administrator Meeks:

We write today to request an immediate stay of the Notice of Decision that the Western Area Power Administration (Western) recently published in the Federal Register on future allocations of Hoover Power pending Congress' consideration of the Hoover Power Allocation Act of 2011 (S. 519). We, as the Chairman of the Senate committee with jurisdiction over WAPA, and as Senators representing states which receive electricity from Hoover Dam, note that this decision is inconsistent with the established precedent that Congress, not Western, directly allocates Hoover power.

As you know, under the Boulder Canyon Project Act of 1928 and the 1984 Hoover Power Plant Act, it was Congress and not Western that directed allocation of Hoover power through contracts with state, municipal and utility contractors. The approach set forth in the Notice of Decision is inconsistent with that approach and is not the best way to ensure the continued availability and reliability of Hoover power to the citizens of Arizona, California and Nevada. We believe that Congress should continue to allocate the post-2017 Hoover power as it has done since the construction of Hoover Dam.

Furthermore, Western's attempt to decide significant issues regarding Hoover power allocations, at the same time that Congress is addressing these issues, will undoubtedly result in conflicts with the will of the Congress because of the differences between the legislation and the Notice of Decision. Therefore, we respectfully request your immediate attention to this issue and must ask Western to issue immediately a notice to stay this decision pending the Congress' consideration of S. 519.

Sincerely,



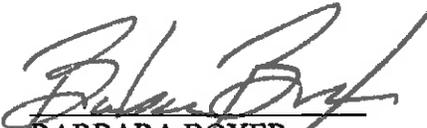
HARRY REID
United States Senator



JEFF BINGAMAN
United States Senator


JOHN McCAIN
United States Senator


JON KYL
United States Senator


BARBARA BOXER
United States Senator


DIANNE FEINSTEIN
United States Senator


DEAN HELLER
United States Senator