



**Department of Energy**  
Western Area Power Administration  
P.O. Box 281213  
Lakewood, CO 80228-8213

DEC 14 2012

Dr. Ned Norris, Jr.  
Chairman  
Tohono O'odham Nation  
P.O. Box 837  
Sells, AZ 85634

Dear Dr. Norris:

Thank you for your letter dated December 5, 2012, regarding Government-to-Government Consultation on the Hoover Power Allocation Act of 2011 (HPAA). Western appreciates your interest in our efforts to market the power resources of the Boulder Canyon Project in accordance with the HPAA. As you are aware, we have actively engaged in tribal consultations with members of the Inter Tribal Council of Arizona (ITCA) and welcome the opportunity to consult with tribes on a one-on-one basis.

As requested in your letter, Western contacted Ms. Lanez Valisto and established an individual Government-to-Government consultation with the Tohono O'odham Nation (Nation) to be held December 21, 2012, at the Nation's facilities. Attending on my behalf, will be Mr. Darrick Moe, Western's Desert Southwest Regional Manager, and Mr. Mike Simonton, Western's project manager for the Hoover marketing effort.

We look forward to meaningful and timely consultation with the Nation to ensure the Nation's interests and input is considered in Western's process.

If you have any questions, please contact Mr. Mike Simonton, Desert Southwest Region's Power Marketing Project Manager, at (602) 605-2675, or email at [Simonton@wapa.gov](mailto:Simonton@wapa.gov).

Sincerely,

A handwritten signature in cursive script that reads "Anita J. Decker".

Anita J. Decker  
Acting Administrator

cc:

Mr. Timothy Joaquin

Chairman

Tohono O'odham Legislative Council

P.O. Box 837

Sells, AZ 85634

Mr. Mike Bethurem

General Manager

Tohono O'odham Utility Authority

P.O. Box 816

Sells, AZ 85634



# Tohono O'odham Nation Office of the Chairman & Vice Chairwoman

COMPASSION FAITH TRADITION RESPECT  
T-I:BDAG 'AMJED S-WOHOCUDA HIMDAG PE:K'ELID

Ned Norris, Jr.  
Chairman

Wavalene M. Romero  
Vice Chairwoman



December 5, 2012

Anita J. Decker, Acting Administrator  
Western Area Power Administration  
United States Department of Energy  
P.O. Box 281213  
Lakewood, CO 80228-8213



**Re: Government-to-Government Consultation on Hoover Power Allocation Act of 2011**

Dear Administrator Decker:

I write on behalf of the Tohono O'odham Nation, a federally recognized Indian tribe located in Arizona. As you know, the Hoover Power Allocation Act of 2011, Pub. L. 112-72, created a new "Schedule D" for the purposes of marketing power to certain entities, including federally recognized Indian tribes. On September 26, 2012, in a letter to the Inter Tribal Council of Arizona, the Western Area Power Administration offered to engage in "further tribal consultations with... individual tribes to ensure tribal interests and input are considered in Western's process" related to the marketing of Schedule D power. Separately, by notice in the Federal Register, Western has invited comment from the general public on its marketing criteria.

The Nation appreciates and applauds Western's recognition of its responsibility, as a federal agency, to engage in meaningful individual government-to-government consultation with Indian tribes on matters affecting tribal interests. By this letter, we cordially accept Western's invitation to engage in individual government-to-government consultation on the allocation of power under the HPAA. Please contact Lanez Valisto at 520-383-2028 at your earliest convenience so that we may arrange for a mutually agreeable location and time to begin this consultation.

Respectfully,

Dr. Ned Norris, Jr.  
Chairman

Cc: Timothy Joaquin, Chairman, Tohono O'odham Legislative Council  
Mike Bethurem, General Manager, Tohono O'odham Utility Authority

bcc:

A0200, (D. Harness)

D. Moe, G0000, Phoenix, AZ

D. Emler, G6000, Phoenix, AZ

M. Simonton, G6005, Phoenix, AZ

Central Files, G1580, Phoenix, AZ

(PDF electronic file)

## Erlander, Carrie

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**From:** Harness, Doug  
**Sent:** Friday, December 14, 2012 8:52 AM  
**To:** Decker, Anita; Moe, Darrick; Tromly, Stephen; Simonton, Mike; Emler, Debby  
**Cc:** Erlander, Carrie  
**Subject:** RE: TO\_12 5 12\_Response Letter.docx

Works for me.

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**From:** Decker, Anita  
**Sent:** Friday, December 14, 2012 8:39 AM  
**To:** Moe, Darrick; Tromly, Stephen; Simonton, Mike; Emler, Debby; Harness, Doug  
**Cc:** Erlander, Carrie  
**Subject:** TO\_12 5 12\_Response Letter.docx

Any reason this won't work? I don't like the 'regret to inform you' unless it can be better said.

## Erlander, Carrie

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**From:** Simonton, Mike  
**Sent:** Friday, December 14, 2012 9:06 AM  
**To:** Tromly, Stephen; Moe, Darrick; Decker, Anita; Emler, Debby; Harness, Doug  
**Cc:** Erlander, Carrie  
**Subject:** RE: TO\_12 5 12\_Response Letter.docx

I knew I'd regret wording it that way.  
All good here. Thanks for the timely review/comments.  
-Mike

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**From:** Tromly, Stephen  
**Sent:** Friday, December 14, 2012 9:03 AM  
**To:** Moe, Darrick; Decker, Anita; Simonton, Mike; Emler, Debby; Harness, Doug  
**Cc:** Erlander, Carrie  
**Subject:** RE: TO\_12 5 12\_Response Letter.docx

nice Darrick - looks good

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**From:** Moe, Darrick  
**Sent:** Friday, December 14, 2012 9:01 AM  
**To:** Decker, Anita; Tromly, Stephen; Simonton, Mike; Emler, Debby; Harness, Doug  
**Cc:** Erlander, Carrie  
**Subject:** RE: TO\_12 5 12\_Response Letter.docx

I have no regret in informing you that I like it :-)

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**From:** Decker, Anita  
**Sent:** Friday, December 14, 2012 8:39 AM  
**To:** Moe, Darrick; Tromly, Stephen; Simonton, Mike; Emler, Debby; Harness, Doug  
**Cc:** Erlander, Carrie  
**Subject:** TO\_12 5 12\_Response Letter.docx

Any reason this won't work? I don't like the 'regret to inform you' unless it can be better said.

## **Erlander, Carrie**

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**From:** Emler, Debby  
**Sent:** Friday, December 14, 2012 9:27 AM  
**To:** Decker, Anita  
**Cc:** Moe, Darrick; Tromly, Stephen; Simonton, Mike; Harness, Doug; Erlander, Carrie  
**Subject:** Re: TO\_12 5 12\_Response Letter.docx

All good here.

Debby Emler  
DSW, Power Marketing Manager

On Dec 14, 2012, at 8:38 AM, "Decker, Anita" <[ADecker@WAPA.GOV](mailto:ADecker@WAPA.GOV)> wrote:

Any reason this won't work? I don't like the 'regret to inform you' unless it can be better said.

<TO\_12 5 12\_Response Letter.docx>

## Erlander, Carrie

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**From:** Moe, Darrick  
**Sent:** Friday, December 14, 2012 9:32 AM  
**To:** Erlander, Carrie  
**Subject:** RE: TO\_12 5 12\_Response Letter.docx

I think it could be printed at this point.....

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**From:** Erlander, Carrie  
**Sent:** Friday, December 14, 2012 9:31 AM  
**To:** Decker, Anita; Moe, Darrick; Tromly, Stephen; Simonton, Mike; Harness, Doug; Emler, Debby  
**Subject:** RE: TO\_12 5 12\_Response Letter.docx

This puts a negative tone to the letter as well...

Are we ready to print??

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**From:** Emler, Debby  
**Sent:** Friday, December 14, 2012 9:27 AM  
**To:** Decker, Anita  
**Cc:** Moe, Darrick; Tromly, Stephen; Simonton, Mike; Harness, Doug; Erlander, Carrie  
**Subject:** Re: TO\_12 5 12\_Response Letter.docx

All good here.

Debby Emler  
DSW, Power Marketing Manager

On Dec 14, 2012, at 8:38 AM, "Decker, Anita" <[ADecker@WAPA.GOV](mailto:ADecker@WAPA.GOV)> wrote:

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<TO\_12 5 12\_Response Letter.docx>