



COLORADO RIVER INDIAN TRIBES

Colorado River Indian Reservation

ROUTE 1, BOX 23-B

PARKER, ARIZONA 85344

TELEPHONE (928) 669-1220

FAX (928) 669-1216

September 8, 2006

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Mr. J. Tyler Carlson
Desert Southwest Region Manager
Western Area Power Administration
P.O. Box 6457
Phoenix, AZ 85005-6457

Dear Mr. Carlson:

SUBJECT: PARKER-DAVIS PROJECT - POST-2008 RESOURCE POOL PROPOSED ALLOCATION OF POWER

These comments are submitted in response to Western's July 17, 2006 Notice of Proposed Allocation of Parker-Davis Project Post-2008 Resource Pool, published in the Federal Register, Vol. 71, No 136, pp. 40503-06.

The Colorado River Indian Tribes (CRIT) occupies the Colorado River Indian Reservation, which straddles the lower Colorado River. The reservation is situated in La Paz County, Arizona and in the California Counties of Riverside and San Bernardino. The electric service for the California portion of the reservation is of primary concern at this time.

CRIT is disappointed at not being included among the 13 entities proposed to receive an allocation of Post-2008 Parker-Davis power. We appreciate the difficulty of dividing the small 17 MW pool among almost 80 applicants and we were pleased to note that five other Native American applicants were among those named by Western to receive power allocations.

We ask, however, that Western reconsider the exclusion of CRIT from the named power recipients. We certainly do not want to displace any of the named Native American recipients, but we feel some revision of the proposed allocations would allow CRIT to participate in the Post-2008 pool and guarantee the benefits of federal hydropower to that portion of our reservation located in California. Specifically, we believe the priority criteria were interpreted too narrowly and that reasonable reconsideration should place CRIT among the successful applicants.

We believe CRIT was inappropriately classed in the second priority of applicants because CRIT has a power contract with Western. The first priority is reserved for applicants that have no Western contracts. Apparently it is assumed that any party that has a contract is already eligible for a reasonable share of federal energy and so doesn't deserve a place in the first priority group. We submit that the existence of a power contract, by itself, is not adequate to disqualify an applicant unless that contract provides meaningful electric service.

To be sure, CRIT does have a contract for electric power from the Salt Lake City Area Integrated Projects Post-2004 Resource Pool (CRSP Post-2004). But, that allocation was truncated to exclude service to the California portion of our reservation because the CRSP Post-2004 marketing area includes Arizona but not California. When CRIT applied for a CRSP Post-2004, allocation we included our California residential, commercial and irrigation pumping loads but Western directed us to deduct such California load from our application in order to conform to the market area limitation. That directive forced us to delete more than 2,700 individual electric connections in California. We protested this omission and Western told us it was powerless to change the market area limits and that we could apply for California area resources when Parker-Davis allocations were considered (FR, Vol. 67, No. 23, Feb. 4, 2002, pp. 5113-5114). We did so apply for a Parker-Davis Post-2008 allocation, only to be denied again. Perversely, we now find that our CRSP Post-2004 contract is interpreted as a barrier to the Parker-Davis allocation we seek. Clearly our truncated, Arizona-only CRSP Post-2004 contract should not be a barrier to our access to federal power for our California loads. CRIT should be restored to the first priority among the applicants.

If CRIT were restored to the first priority group, we believe it would be evaluated favorably against the four factors cited by Western: Indian irrigation pumping, widespread use, magnitude of power benefits and load. CRIT certainly has irrigation pumping load in California. Also, a new allocation will allow more widespread and beneficial use throughout our reservation. And finally, the CRIT load, while not huge, is exceptionally stable and durable. Our reservation will persist and will not be closed down like a military base.

Again, we recognize the difficulty faced by Western in the allocation of only 17 MW among many applicants. However, our energy needs are legitimate and growing. Hence, we ask for equitable inclusion in the Parker-Davis Post-2008 Pool so that needed federal hydroelectric energy will flow to all areas of our reservation.

Sincerely,

COLORADO RIVER INDIAN TRIBES



Daniel Eddy, Jr.
Tribal Chairman