

United States Senate

WASHINGTON, DC 20510-7012

January 16, 2013

Mrs. Anita Decker
Acting Administrator
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

Dear Mrs. Decker:

As the lead sponsor of the Hoover Power Allocation Act (P.L. 112-72), I am writing to express my concern about the Western Area Power Administration's (Western) proposed implementation of its Schedule D allocations.

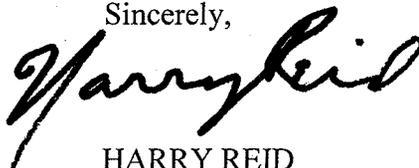
Congress has made clear through passage of the Boulder Canyon Project Act of 1928, the 1984 Hoover Power Plant Act, and P.L. 112-72 that it and not Western, directs allocation of Hoover power through contracts with state, municipal and utility contractors. Western may not allocate Hoover power in any way that is inconsistent with these federal statutes.

Congress directed the Secretary of Energy to offer post-2017 Schedule D Hoover power to new allottees comprised of the states, municipalities and political subdivisions eligible to receive Hoover power under section 5 of the Boulder Canyon Project Act of 1928 and federally recognized Indian tribes. P.L. 112-72 does not grant any authority to Western either to allocate Hoover power to other types of entities, or to administratively prescribe additional criteria that would preclude section 5 entities from receiving Schedule D allocations.

Therefore, I respectfully request that Western revise its proposed marketing criteria to conform to the requirements specific to P.L. 112-72. I would appreciate your immediate attention to this issue, and inclusion of the changes requested above in the marketing criteria you issue following the public comments that were due on January 11, 2013.

Please feel free to contact me or Ryan Mulvenon of my staff at 202-224-6970 if you have additional questions.

Sincerely,



HARRY REID
Majority Leader