



# INTER TRIBAL COUNCIL *of* ARIZONA

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COCOPAH TRIBE  
COLORADO RIVER INDIAN TRIBES  
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SALT RIVER PIMA-MARICOPA  
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SAN CARLOS APACHE TRIBE  
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TONTON APACHE TRIBE  
WHITE MOUNTAIN APACHE TRIBE  
YAVAPAI APACHE NATION  
YAVAPAI PRESCOTT INDIAN TRIBE

May 23, 2012

Mr. Mike Simonton,  
Project Manager  
BCP Post 2017  
Western DSW Office  
615 S. 43<sup>rd</sup> Avenue  
Phoenix, AZ 85009

### Re: Tribal Consultation Regarding Boulder Canyon Project Power Allocation

Dear Mr. Simonton:

On April 5, 2012, the Western Area Power Administration (Western) and the Inter Tribal Council of Arizona (ITCA) held the initial Tribal consultation meeting to discuss the allocation of power from the Boulder Canyon Project (BCP or Hoover). ITCA appreciated Western's presentation as well as the discussion that followed the ITCA presentation of the BCP Tribal Position Paper.

Based upon Meeting Summary received from Western and the ITCA understanding of the discussion, below are some follow-up comments and clarifications.

- Western stated that the initial Tribal Consultation meetings would be conducted as an informational meeting to provide for more detailed discussion on the power allocation matters that concerned Tribes in Arizona. The matters of concern would be forwarded to Western's upper management for consideration during the Tribal power allocation process.
- Western indicated that there are a total of 59 Tribes in the BCP marketing area.
- ITCA requested and Western indicated it would most likely include in the Federal Register Notice (FRN) that Tribes would not be required to have "utility responsibility" in order to apply for an allocation of BCP.
- ITCA requested that Western should clearly state that no "double dipping" would be allowed between the pool of "New Entities Allocated by States" and the pool of "New Entities Allocated by the Secretary Of Energy".
- ITCA requested that Western consider establishing, within the pool of "New Entities Allocated by the Secretary Of Energy", a "Tribal Set-aside" or "Tribal Preference".
- ITCA requested that Western's marketing criteria not consider existing Federal hydropower allocations from other projects. Western should ensure Tribes are not

- disadvantaged by having an allocation from a different Federal project or impose any penalties or reduction in allocation to any Tribe that currently holds a FES contract.
- Western suggested to ITCA they (Western) might consider alternative methods to allocating power other than based upon energy, as requested by ITCA.
- ITCA requested that Western allow allocations of BCP be made to Tribes either in partial MWS to three (3) decimal places, or KWs.

The ITCA greatly appreciates the timely and meaningful communication by Western and looks forward to future discussion on the matters of concern listed above. Also, attached is the ITCA BCP Tribal Position Paper with clarifications on the third bullet as requested at the April 5, 2012, meeting. We will contact the Western BCP Post 2017 Office so that we may arrange for our next discussion date, perhaps in June.

Sincerely,



Shan Lewis,

President, Inter Tribal Council of Arizona  
Vice-Chairman, Fort Mojave Indian Tribe