

THE ANETH CHAPTER
ANETH, NAVAJO NATION (UTAH)



DARRELL WILLIAMS PRESIDENT
BILL TODACHENNIE VICE PRESIDENT
BRENDA BROWN SECRETARY/TREASURER

**RESOLUTION OF
THE ANETH CHAPTER**

ACJAN-16-020

RESCINDING ANETH CHAPTER RESOLUTION AC-AUG-13-102; REQUESTING NAVAJO TRIBAL UTILITY AUTHORITY TO ACQUIRE AND OPERATE THE ELECTRIC POWER FACILITIES FROM ROCKY MOUNTAIN POWER COMPANY WITHIN ANETH CHAPTER, SAN JUAN COUNTY, UTAH

WHEREAS:

1. Pursuant to Navajo Tribal Council Resolution No. CMY-23-79, the Aneth Chapter is duly certified and recognized as an official local unit of the Navajo Nation Government with all duties, responsibilities, and authorities conferred according to 26 N.N.C. §1 et seq. and has the power and authority to enact plans and development goals that are in the best interest of the community and to recommend, support, and approve community related projects; and
2. The residents of the Aneth Chapter require reliable and reasonably priced utility service, including the provision of electricity, to live comfortably, and the future success and well-being of the children of the Aneth Chapter similarly require such utility service so that they may have an equal chance to excel and succeed as their counterparts off the Navajo Reservation; and
3. The Aneth Chapter is, in essence, a community, and the Aneth Chapter, like other communities, requires employment for its residents; and
4. The major employers in and near the Aneth Chapter include principally companies engaged in oil and gas production and transportation, and those employers both employ directly many residents and members of the Aneth Chapter and also engage Navajo-owned firms and contractors and, indirectly, as subcontractors; and
5. For over 50 years, the Aneth Chapter has relied on Rocky Mountain Power or its predecessors in interest ("RMP") to provide reliable and reasonably priced electricity to the residents of in the Aneth Chapter; and
6. RMP's service and reliability have generally been excellent for the residents in the Aneth Chapter; and
7. RMP has electrical generating capacity, further ensuring that its services in the future will be reliable, and RMP is subject to regulation by an expert state Public Utility Commission, ensuring rates for electrical service will not be arbitrarily raised and that any concerns about reliability will be promptly and effectively addressed; and
8. The Navajo Tribal Utility Authority ("NTUA") is a utility company owned by the Navajo Nation with no generating capacity and its record of service and reliability is far inferior to that of RMP; and

9. NTUA's pricing, service, and reliability are not subject to any effective oversight or any independent review by an independent public utility commission with special expertise in these areas; and
10. NTUA prices for electricity, being not subject to effective, expert and independent review, are generally substantially higher than RMP's prices; and
11. RMP and NTUA have entered into an agreement (the "Agreement") that would have the effect of permitting NTUA to take over the electrical infrastructure from RMP, assume operational control, and set new prices, among other things, all without the future oversight of the Utah PUC or effective regulation by any other independent regulatory body with the resources and expertise needed to protect residential and industrial utility customers; and
12. The Aneth Chapter previously expressed approval of the transaction by Resolution No. AC-AUG-13-102, but upon reflection, rescinded such approval by Resolution No. ACJAN-16020, and the Aneth Chapter has determined that it should respectfully request rejection by the Utah Public Utility Commission of the Agreement, including through Chapter intervention in the proceedings to be conducted by the Utah Public Utility Commission, and including any appeals that may result from the decision ultimately rendered by the Utah Public Utility Commission.

NOW THEREFORE IT BE RESOLVED THAT:

1. The Aneth Chapter hereby rescinds Aneth Chapter resolution AC-AUG-13-102; requesting Navajo Tribal Utility Authority to acquire and operate the electric power facilities from Rocky Mountain Power Company within Aneth Chapter, San Juan county, Utah.
2. The Aneth Chapter hereby respectfully urges that the Utah Public Utility Commission reject the Agreement reached between Rocky Mountain Power and the Navajo Tribal Utility Authority, now pending in its Docket No. 15-03584.
3. The Aneth Chapter shall take any reasonable and appropriate steps to obtain the rejection of such Agreement by the Utah Public Utility Commission, including through intervention in the proceedings now pending before that body and by participating in or taking, as appropriate, any appeal or appeals from a final or any significant preliminary decision rendered by the Utah Public Utility Commission.

CERTIFICATION

I hereby certify that this forgoing resolution was duly considered by the Aneth Chapter Membership at a duly called meeting at which a quorum was present and that the same was passed with a vote of 17 in favor, 0 opposed and 0 abstained this 17th day of January 2016.



Darrell Williams, *President*
ANETH CHAPTER

Motioned by: Susie Philemon
Seconded by: Annie Hamm