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October 3, 2014

Mr. Michael A. Gazda,
Interim Acting Executive Director
Arizona Power Authority
1810 W. Adams Street
Phoenix, AZ 85007
Mike@powerauthority.org

VIA EMAIL ONLY

Re: Comments to APA Application for Post-2017 Hoover Power

Dear Mr. Gazda:

This office serves as General Counsel to the Ak-Chin Indian Community, a federally recognized Indian tribe located near Maricopa, Arizona, and its tribal power entity, Ak-Chin Energy Services (ACES). Representatives of ACES and this office have attended the various meetings and workshops pertaining to the Post-2017 Applications for Hoover Power through APA, including the most recent workshop held on September 29, 2014. Based on review of relevant documents and attendance at these meetings and workshops, ACES offers the following comments to the "DRAFT 2017 Hoover Allocation Request" Document:

1. Section 2 ("Entity Type"). ACES approves the inclusion of "Federal Indian Tribe, or agency thereof," among the categories of entities that may make application using this document form.

2. Sections 4 through 11. ACES agrees with comments made by several interested parties at the September 29, 2014 Workshop that, rather than relying on a hard copy application form which, once received, will have to be retabulated by the Authority, APA should develop and adopt a "fillable" form which may be accessed and completed online by the applicants. This would eliminate some prospect of error in data entry in favor of the applicants themselves being responsible for entry of the data.

Sections 8A and 8B. These sections call for applicants to furnish data on "In-Lieu Water Use," for pumping of "non-permanent, non-groundwater supplies that the entity used instead of pumping groundwater." Ak-Chin Indian Community receives its permanent water supply pursuant to the Ak-Chin Indian Water Settlement Act of 1984, and amendments. Pursuant to that legislation, Ak-Chin receives surface water from and through the Central Arizona Project and it is delivered

Mr. Michael Gazda, Arizona Power Authority
Re: Comments to APA Application for Post-2017 Hoover Power
October 3, 2014
Page 2

without cost to the Community by the U.S. government to the southern boundary of the Reservation. Under its contract with the United States for delivery of this water, Ak-Chin's use of any groundwater is severely restricted. Accordingly, these Sections 8A and 8B are of limited applicability to the Community and its potential requests for a Hoover allocation.

Thank you for the opportunity to comment on the application. Please call or email with any questions.

Sincerely,

STRICKLAND & STRICKLAND, P.C.

A handwritten signature in cursive script, appearing to read "Robert F. Palmquist".

Robert F. Palmquist

RFP/rjl