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BEFORE THE ARIZONA CORPORATION COMMISSION Arizona Corporation Commission

MIKE GLEASON, CHAIRMAN
WILLIAM A. MUNDELL 2008 NOV 14 A 10:42
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE AZ CORP COMMISSION
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IN THE MATTER OF THE COMPLAINT
OF THE BUREAU OF INDIAN AFFAIRS,
UNITED STATES OF AMERICA,
AGAINST MOHAVE ELECTRIC
COOPERATIVE, INC. AS TO SERVICES
TO THE HAVASUPAI AND
HUALAPAI INDIAN RESERVATIONS

DOCKET NO. E-01750A-05-0579
SUMMARY OF JAMES C. WALKER
TESTIMONY

The Bureau of Indian Affairs ("BIA") previously filed prepared direct testimony of James C. Walker which will be used at the hearing beginning November 18, 2008. The following is a summary of Mr. Walker's testimony:

In about 1980, the BIA contracted with Mohave Electric Cooperative ("Mohave") to construct, operate, and maintain a 70 mile electric line (the "Line") from Mohave's Nelson Substation to Long Mesa, which is located at the edge of the Grand Canyon. From Long Mesa, an overhead electric line drops down in the canyon runs to Havasupai Village. There are about 200 residents in the Village who use Mohave's electricity in their homes. There is also a BIA school and related facilities, government quarters for BIA teachers and law enforcement officers, a BIA detention facility, a BIA electrical system, and a BIA maintenance building. There is also a medical clinic that uses Mohave's electricity. Except for some emergency generators, the people living in the Village have no other source of electrical power other than the electricity Mohave sends over the Line. The BIA collects fees from the users of electricity in the Village based on their electric power usage indicated by individual meters within the Village.

From 1982-1997, BIA received invoices from Mohave based on the meter readings at Long Mesa. In 1997, Mohave moved the meter from Long Mesa to the

1 Nelson Substation. Mohave then started billing the BIA based on their readings at the
2 Nelson Substation meter.

3 For several years, Mohave performed emergency and routine maintenance and
4 repair on the Line, as provided for in the contract. At some point, Mohave stopped
5 performing routine maintenance and repairs to the Line. Mohave has not performed
6 routine maintenance on the Line for the past few years. If there is an outage along the
7 Line, the BIA calls Mohave. Before Mohave will respond to the outage, Mohave
8 requires a written confirmation from the BIA that it will pay for the repair.

9 Between February 15, 2006 and October 18, 2006, the flow of electricity over the
10 Line was interrupted nineteen times. On occasion, Mohave informed the BIA that
11 Mohave did not have anyone available to check the Line.

12 Since 2003, the BIA has paid \$125,851.33 to repair or maintain the Line.

13 There are about 12 other meters along the Line, in addition to the BIA's meter at
14 Long Mesa. One meter is for a cabin belonging to Hualapai members, Brian and
15 Patricia Cespooch, and another meter is for a home owned by Clay Bravo, another
16 Hualapai member. The Hualapai Tribe has about five meters along the Line and the
17 Navajo Nation, which owns a ranch near the Line, also has a meter. Near the end of
18 the Line is a meter for Arizona Telephone Company, which is now called TDS.

19 Until Mohave moved the BIA's meter from Long Mesa to the Nelson Substation,
20 the individual customers paid Mohave for their own electricity. Since Mohave moved
21

22 ///

1 the meter, the BIA has had to pay for all of the electricity used along the Line.

2 Respectfully submitted this 14 day of November, 2008.

3 DIANE J. HUMETEWA
4 United States Attorney
5 District of Arizona

6 

7 MARK J. WENKER
8 Assistant U.S. Attorney
9 Attorneys for the Bureau of Indian Affairs

9 Original and 13 copies filed
10 this 14 day of November, 2008, with:

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