



**ORIGINAL**  
**White Mountain Apache Tribe**  
**EXECUTIVE OFFICE OF THE CHAIF**



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Dallas Massey, Sr., Tribal Chairman

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February 9, 2004

AZ CORP COMMISSION  
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Marc Spitzer, Chairman  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

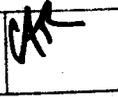
Arizona Corporation Commission

**DOCKETED**

FEB 13 2004

Environmental Portfolio Standard  
Docket No. RE-00000C-00-0377

Dear Mr. Spitzer:

DOCKETED BY 

The White Mountain Apache Tribe appreciates this opportunity to offer these comments to the Arizona Corporation Commission on an issue which could affect in a positive way the condition of our forests and my Tribe's plans for the future. As you know, the White Mountain Apache Tribe has suffered devastating losses to its forest base from the Rodeo-Chediski Fire of 2002, which destroyed more than 475,000 acres of Tribal and non-Tribal land in the White Mountain Region. The Tribe also lost additional forest base in 1999 during the catastrophic Rainbow Fire and most recently in 2003 from the Kinishba Fire.

These fires have broken out as result of over-crowding of our forest coupled with severe drought. My Tribe is seeking ways to utilize small diameter timber in a cost effective manner to create employment and restore our forest to better health. One project the Tribe is evaluating is the potential use of excess fuel for a biomass plant to generate electricity. For that reason, on behalf of the White Mountain Apache Tribe I request that at the upcoming Commission meeting that the Commission vote to:

1. Extend the Environmental Portfolio Standard beyond its 2012 expiration date. This will allow my Tribe and other entities access to markets for purchase of power meeting the environmental portfolio standard, thereby helping our Tribe in demonstrating the feasibility of a power plant we may develop in conjunction with our existing sawmill operation in Whiteriver.
2. Extend the EPS to 1.1%, or preferably higher, as this will create a market for Biofuels.
3. Allow a portion of the EPS to include biomass energy production, as this will encourage electric power producers through Arizona to purchase biomass power.

The Commission by approving these three items would open the door for the Tribe to develop its biofuel energy production plans that can enable the Tribe to thin thousands of high-risk

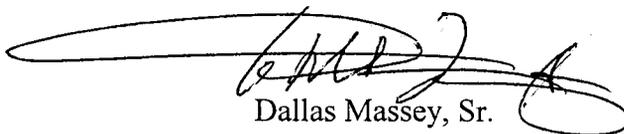
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forests and protect Tribal communities and our neighboring communities from a repeat of the catastrophic that we and our neighbors have experienced over the past five years.

Chairman Spitzer these are very simple, basic requests that can forever change the way we manage and protect our State forests and preserve the White Mountain Apache Tribe's way of life.

As the Chairman of the White Mountain Apache Tribe, I appreciate this opportunity to seek your assistance and the assistance of other members of the Arizona Corporation Commission assistance in help my Tribe in protecting our forest.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dallas Massey, Sr.', with a large, sweeping flourish extending to the left and a circular flourish at the end.

Dallas Massey, Sr.  
Tribal Chairman