

We are writing to request a comment period of at least 90 days on the Department of Energy (“DOE”)/Western Area Power Administration’s (“WAPA”) Joint Outreach Team (“JOT”) draft recommendations to Secretary Steven Chu regarding the implementation of his March 16, 2012 Memo (“Chu Memo”). We believe that a comment period of at least 90 days will be necessary to allow those directly affected by the JOT’s recommendations the opportunity to thoroughly evaluate the substance of the proposal and provide meaningful input to the Department. Additionally, if the draft recommendations require significant technical, economic, or other complex analysis, we may seek additional time to ensure that our comments appropriately respond to the draft recommendations.

As expressed previously, the Chu Memo, and subsequent DOE /WAPA “Defining the Future” workshops and listening sessions have confused, alienated, and angered Power Marketing Administration (“PMA”) preference customers and other stakeholders. Throughout this process, we the City of St George have expressed deep concern about the assumptions that have been made regarding the manner in which the PMAs operate. Additionally, we have been frustrated by a procedural process that has been unnecessarily rushed and lacking in true opportunity for meaningful input from preference customers and other stakeholders.

We understand that the JOT is currently in the process of combining input from the “Defining the Future” workshops, listening sessions, and written comments to formulate draft recommendations that will be published in the Federal Register for comment in early November. We appreciate and look forward to the opportunity to submit comments. However, we are concerned that the comment period may be abbreviated due to holiday schedules/travel and other unforeseen variables. Given the technical nature of Secretary Chu’s initiative and the potential economic impact of the proposal on preference customers and other stakeholder groups, a comment period of at least 90 days will allow those directly affected by the JOT’s recommendations the opportunity to thoroughly evaluate the substance of the proposal and provide meaningful input to the Department.

In addition to our request for a sufficient comment period, we strongly recommend that the Administration issue a Federal Register notice containing the final recommendations to the Secretary that discusses the comments DOE receives on the draft recommendations and explains why the JOT accepted or rejected those comments in developing the final recommendations. Only such a process, that tracks the requirements of the Administrative Procedure Act (“APA”) for formal rulemakings, will provide the transparency that DOE has said it supports in this process.

Thank you for your consideration of this request.

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