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9 a Federally Recognized Tribe

10 **BEFORE THE PUBLIC UTILITIES COMMISSION**  
11 **OF THE STATE OF CALIFORNIA**

12 Application of Southern California )  
13 Edison Company (U338E) ) Application 06-12-022  
14 Regarding the Distribution of SO2 ) (Filed December 20, 2006)  
15 Allowance Sale Proceeds Related to )  
16 the Suspended Operation of )  
17 Mohave Generating Station. )  
18 \_\_\_\_\_ )

19 **HOPi TRIBE’S COMMENTS ON THE PROPOSED DECISION DETERMINING**  
20 **TREATMENT OF SALE PROCEEDS OF SULFUR DIOXIDE ALLOWANCES**  
21 **FROM MOHAVE GENERATING STATION**

22 The Hopi Tribe respectfully submits the following comments regarding the  
23 Administrative Law Judge’s (“ALJ”) Proposed Decision Determining Treatment of Sale  
24 Proceeds of Sulfur Dioxide Allowances from Mohave Generating Station (hereinafter  
25 “Proposed Decision” or “PD”).

The Hopi Tribe supports the Proposed Decision’s resolution of these proceedings and supports approval or ratification by the Commission.

1                    **Comments**

2                    The record has PD has correctly acknowledged that the Mohave Generating  
3 Station (hereinafter “Mohave Station”) produced devastating effects on Indian tribes  
4 including the Hopis. The PD calls for equitable considerations resulting from these  
5 impacts while at the same time ensuring California ratepayers benefits in its distribution  
6 of allowance revenues. The Hopi Tribe recognizes that there is no easy solution for the  
7 present case but the concept of a revolving fund to benefit Tribal energy projects is the  
8 most sound and equitable approach for all affected parties.

9                    The Hopi Tribe supports the mechanism that can best provide financial assistance  
10 to Tribal energy projects as delineated in the PD. The PD provides a well reasoned  
11 equitable approach to promote those projects that will have direct benefit to the most  
12 affected people from the Mohave Station’s operations and shut down.

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14                    Lastly, the Hopi Tribe incorporates by reference herein the recommendations  
15 proposed by the Just Transition Coalition regarding the specification of eligibility by  
16 Tribal Utility entities<sup>1</sup>, the requirement to provide information to project developers  
17 regarding the existing funds available in the Revolving Fund at the time of application for  
18 the benefit<sup>2</sup> and, SCE’s requirement to file additional information in its Annual Report.<sup>3</sup>  
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23 <sup>1</sup> *Just Transition Coalition’s Comments on the Proposed Decision Determining*  
24 *Treatment of Sale Proceeds of Sulfur Dioxide Allowances From Mohave*  
*Generating Station, Filed February 4, 2013, \_\_\_ at pg 5.*

25 <sup>2</sup> *Id.* at pg. 5-7

<sup>3</sup> *Id.* at pg. 7.

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Respectfully submitted,

Date: February 4, 2013

s/s CESAR LUNA  
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