BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

In the Matter of the Application of DCR TRANSMISSION, LLC for a Certificate of Public Convenience and Necessity for the Ten West Link Project.

Application 16-10-012
(Filed October 12, 2016)

MOTION FOR PARTY STATUS OF THE COLORADO RIVER INDIAN TRIBES

SARA A. CLARK
SHUTE, MIHALY & WEINBERGER LLP
396 Hayes Street
San Francisco, CA 94102
Telephone:  (415) 552-7272
Facsimile:  (415) 552-5816
clark@smwlaw.com

Attorneys for Colorado River Indian Tribes

June 20, 2017
MOTION FOR PARTY STATUS FOR COLORADO RIVER INDIAN TRIBES

I. INTRODUCTION

Pursuant to Rule 1.4(a)(4) of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure, the Colorado River Indian Tribes (“CRIT” or “Tribes”) hereby file a motion for party status in the above-referenced Application of DCR Transmission, LLC (“DCRT”) for approval of the Ten West Link Project (“Project”). The Project is a 114-mile, 500 kilovolt transmission project, which would run from Tonopah, Arizona to west of Blythe, California, crossing the Tribes’ ancestral homelands and, depending on the route selected, the Colorado River Indian Reservation. Under Commission Rule 1.4(b), a person may become a party to a proceeding by filing a motion disclosing the interest of the persons or entities in the proceeding, stating the factual and legal contentions that the person intends to make, and showing that the contentions will be pertinent to the issues already presented.

II. CRIT’S INTEREST IN PROCEEDING A. 16-10-012

CRIT is a federally recognized Indian tribe with a 300,000-acre reservation located between Parker, Arizona and Blythe, California, along the Colorado River. CRIT
is comprised of members from four distinct tribes: the Mohave, Chemehuevi, Hopi, and Navajo. The Ten West Link Project would cross the ancestral homelands of CRIT’s Mohave and Chemehuevi members, which extend beyond reservation borders into portions of Arizona, California, and Nevada. Depending on the selected route, the Ten West Link Project may also cross the Colorado River Indian Reservation. The lands contain artifacts, burial sites, and other cultural resources establishing the footprint of tribal members since time immemorial. The Tribes also use these lands for spiritual and religious ceremonies, travel and trade, collection of culturally and medicinally important plants, and resource processing and collection. Consequently, the Project has the potential to impact tribal interests associated with cultural, aesthetic, archaeological, and natural resources. It also has the potential to directly impact land and resources located on the Colorado River Indian Reservation and held in trust by the federal government for the Tribes.

CRIT requests Party status in this proceeding due to the proximity of the proposed route to the Colorado River Indian Reservation, including proposed routes on segments located on the Colorado River Indian Reservation. CRIT also requests Party status because of the potential for the Project to impact cultural resources, including sacred places, trails, archaeological resources, plants and wildlife, and the visual landscape. Specifically, during this proceeding, the Tribes intend to monitor evidence and testimony regarding the Project’s impact on community, historical, and aesthetic values, and the environment, and if necessary, provide evidence and testimony on those topics. Pursuant to Public Utility Code section 1002(a), the Commission will consider these issues in
determining whether to grant a Certificate of Public Convenience and Necessity for DCRT’s application. Therefore, the issues CRIT may raise are pertinent to the proceeding. CRIT also intends to monitor, and if necessary, submit evidence and testimony on the adequacy of environmental review.

In this proceeding, CRIT may engage in discovery, submit testimony (including expert testimony), participate in workshops and evidentiary hearings, and file briefs as well as comments on the proposed Ten West Project and on the associated environmental review documents.

For the reasons described above, CRIT respectfully requests that the Commission grant its Motion for Party Status.

III. NOTICE

Service of notices, orders, and other correspondence in this proceeding should be directed to the address set forth below:

SARA CLARK
SHUTE, MIHALY & WEINBERGER LLP
396 Hayes Street
San Francisco, CA 94102
clark@smwlaw.com
For: Colorado River Indian Tribes

Contact information for the following CRIT Representatives should remain on the “Information Only” service list: Dennis Patch, Rebecca A. Loudbear, and Nancy H. Jasculca.
IV. CONCLUSION

The Tribes’ participation in this proceeding will not prejudice any party and will not delay the schedule or broaden the scope of the issues in the proceeding. For the reasons stated above, the Colorado River Indian Tribes respectfully request that the CPUC grant this Motion for Party Status.

DATED: June 20, 2017

SHUTE, MIHALY & WEINBERGER LLP

By: /s/ Sara A. Clark

SARA A. CLARK

Attorneys for Colorado River Indian Tribes