



INDIAN COUNTRY ENERGY AND INFRASTRUCTURE WORKING GROUP

ICEIWG

January 26, 2012

GILA RIVER INDIAN COMMUNITY

Wild Horse Pass Hotel & Casino

5040 Wild Horse Pass Boulevard

Chandler, AZ 85226

(520) 796-7272

Action Items

DRAFT PURCHASING POLICY GUIDANCE

- The draft policy guidance was distributed to ICEIWG at the Portland meeting in October 2011. IE is accepting comments from ICEIWG as they arise.
- The goal is to get final comments and to work through the internal review process. Once that is finalized, it will go through the formal leadership review process so that it can be published as draft policy guidance. This will kick-off formal consultations with tribes. IE would like to get the draft out to Indian country for comment and consultation by the end of February.
- IE will send out a “Dear Tribal Leader” letter in regards to the consultations to all tribes and will start scheduling consultation meetings. After the formal consultations, IE will finalize it and publish the policy guidance.

SELLING POWER TO THE U.S. DEPARTMENT OF DEFENSE (DoD)

- IE is having conversations with the U.S. Department of Defense (DoD). They have met a few times so far.
- IE wants to get face time with those who are setting DoD policies—those who determine from where DoD can buy energy. IE is trying to set up a meeting with the right people at the Pentagon to discuss this issue.
- IE’s goal is to effectuate high level policy, and they’re paying attention. DoD has been willing to talk. IE shared the draft policy guidance with them and wants to have these conversations in the next few months.

NEW ICEIWG MEMBER RECRUITMENT

- IE would like to do another push for an Alaska member nomination. Will Micklin will work on this and relay a few names to IE.
- IE noted that ICEIWG does not have a voice at the table from the conventional energy perspective. ICEIWG agreed that it would be helpful to have someone who knows conventional energy well, or who has it on their land.

ICEIWG CHARTER & DOE-IE’S STRATEGIC PLAN

- ICEIWG members like the charter.
- IE would like to receive feedback on its strategic plan. The goals identified are statutory goals and IE is open to include additional goals—specifics and priorities within the broader framework.
- ICEIWG members mentioned that focusing on the discussions with DoD would be beneficial, and keeping DoD informed of what IE and ICEIWG are accomplishing.
- IE would like to bring other federal agencies to a meeting to sit down and hear directly from tribes and ICEIWG. IE would like to invite DoD, USDA, BIA, EPA—everyone who is involved in energy development—and IE could ask for short presentations from them to the working group. This could possibly happen at an ICEIWG meeting in Washington, D.C.

EDUCATION INITIATIVES

- One of IE's goals is to get the curriculum that they're developing with NREL online. The curriculum will be for two different audiences—the longer technical version for staff, and then an abbreviated version so that tribal leadership can understand. Tribal leadership must understand that before embarking on an effort, there is necessary upfront planning. IE would like ICEIWG to participate in some form of pilot testing or peer review of the curriculum and website for usability purposes.
- As START is underway, everything will be documented. NREL will write case studies of what is going on and share those. NREL will build upon them and address the barriers that are being broken down through technical assistance. IE noted that it is key to share these stories and document everything.
- ICEIWG members identified the challenge of communicating the broader benefits that energy development can bring to the community—the economic impacts as well as the actual renewable energy impacts. ICEIWG members noted that it would be helpful to have an external source that can help identify the (economic) benefits (and more) sparked and the values that a project can bring. A third party voice to provide an analysis of the value would be helpful.
- IE noted that there are a number of projects in Indian Country that are in the late stages of development. There are two things to explore: why aren't tribal councils necessarily comfortable with pulling the trigger? Maybe they're not comfortable with the commercial aspects of a project and need to hear from another party? Or, are they not comfortable because their constituency isn't comfortable? It could be a deal-killer if the benefits cannot be articulated. ICEIWG emphasized that having an outside, non-affiliated voice to articulate the benefits of a project would be helpful. NREL could serve as this resource.

FEDERAL BUDGET

- In regards to the Fiscal Year 2013 budget, the President's budget will be released in February. When it is released, IE will send ICEIWG a short note on what IE's budget number is. IE cannot release the requested number until the President releases the budget.

TRIBAL LEADER FORUM SERIES

- NCSL will create ListServes that include tribal leader forum participants for each forum. This will help IE send information to the right people over time.
- The next forum will be on transmission in Denver on February 7th and 8th. It will provide a Transmission 101 for tribal leaders and explain what FERC is, why PMA's are structured as they are, etc. It will lay out the basics for transmission leaders and demystify the process. A case study will show how a tribe actually got an agreement signed under current rules. At the forum, IE will also discuss DOE's purchase preference policy guidance and its progress. Financing will also be discussed, and participants will hear from someone about new markets tax credits. WECC will present and provide an update on 10 and 20-year extension plans. WGA and USDA will also be in attendance.
- There will also be an opportunity for open dialogue between tribes at the end of the transmission forum.
- ICEIWG highlighted the importance of having the Transmission Forum in understandable terms for the audience. It would be helpful to have a cheat sheet or very basic commonly asked questions prior to the forum. Tribal leaders tend to get lost in all the acronyms and abbreviations.
- NCSL will compile a cheat sheet of transmission acronyms, a glossary of basic transmission terms, a cheat sheet that summarizes transmission regulation, a brief summary of the attending entities, and answers to transmission frequently asked questions. This will be provided as a hard copy at the

forum and included on thumb drives that will be distributed to participants. More in-depth transmission studies and reports will also be provided on the thumb drives.

- IE will likely have a Conventional Energy Forum on March 1 during RES12. This will include oil, gas and coal, and maybe geothermal. IE has not yet reached out to speakers, but the forum will likely be the last day of RES. In addition, there will be three other panels during RES that IE will share with ICEIWG as the agenda takes shape.
- A number of tribes have approached IE about geothermal projects. A geothermal forum is an option—or, IE could include geothermal in its Conventional Energy Forum that will be held in March.
- IE is working to also plan a forum on energy taxation. NAFOA is having its annual convention March 17-18 in New Orleans, so IE is considering an energy taxation forum in conjunction with this. The goal is to discuss the plethora of taxes out there that are asserted against projects in Indian Country. Only a select few will be invited and limited to tribes in select states where there's a tax being assessed today. Arizona, Oregon, Washington, New Mexico, Nevada and California will be included. These states have differing conditions and can give tribes the chance to learn of what is going on in other states. The objective is to understand the opportunity to deal with state tax issues. This will be a tribal-only discussion and the next step might be—after the tribal-only discussion—to have tribes sit down and talk to state legislators on these issues.
- IE thinks an investment forum would be helpful. Al Urban will think about how it could be structured and what the most effective format could be.

START—WHAT'S NEXT

- Applications received: 22 for projects in Alaska and 24 for projects in the lower-48 states.
- The technical assistance application review process is underway. The project finance and development team did an initial review and cut down the applicants based on success metrics. IE will be visiting to see which projects are actionable. IE will host a federal review of the applications, and a more formal selection process will begin by the end of the month.
- Technical assistance will be underway March through May in Alaska (up to three TA's) and March through August in the lower-48 (up to 5 TAs).

ELECTRIFICATION

- IE noted that one of its charges is electrification of Indian lands. Back in 2002, EIA did a study on electrification in Indian country and renewable energy potential. When it was done originally, 1990 census data were used. It was already 10 years old by the time it came out. The study considered electrification rates and who was serving Indian country.
- IE would like to have EIA update the electrification part of the study. The data is much richer and it would be helpful to take another baseline picture of electrification to get an idea of where there is still a need. The idea is that when it's time to look at the electrification issue we know where the challenges are. It would help reestablish a baseline for electrification in Indian country and its costs.

WAPA WEBINAR SERIES

- There are a number of upcoming webinar offerings, including one on transmission policies on February 29 and one on understanding interconnection and service queues on March 28.
- IE hopes to receive feedback on the webinars to see if they're effective. IE is also working to get on a common platform to record the webinars so that they can be revisited and watched at a later time. There have been discussions on how to measure the effectiveness of these efforts. Half of the participants have been tribes at this point, and IE has also encouraged BIA to participate.
- IE understands there might be a bandwidth constraint for tribal members. IE could put the recorded webinars on DVD's upon request so that there are alternative ways to present the information.

OTHER 2012 INITIATIVES

- One 2012 goal for IE is to be more coordinated. IE started monthly calls with BPA and WAPA and is trying to understand who is doing what.
- IE has joined with WAPA, BPA, OE and EERE on a number of things, including webinars on transmission (specifically targeting tribes). IE is thinking of designing other similar programs for 2012. There have been no final decisions on to what extent this will be, but other areas of consideration include conducting a study (in the West) of the state transmission system and where

there are known constraint areas and known areas of potential capacity in conjunction with tribal lands.

- NREL is supporting work for WGA and the 10 and 20-year planning work. As that analysis moves forward on the state side, IE asked if it would be possible to involve tribal lands in the analysis when the planning is in the vicinity of tribal lands. This could help identify areas of capacity and high resource potential areas so that pilot transmission studies could be conducted based on that work.
- NREL is finding areas of transmission availability on a regional basis. NREL could overlay tribal lands and high resource areas. ICEIWG members noted that this would be a great utility for tribes and for tribal developers to see the opportunities as the initial stage of the final flow analysis. It would be influential to a council that might need to be convinced on spending money down the road. IE noted that this is just in the discussion stages but it could be an opportunity to bring attention to a tribe that might not have known of its potential.
- IE would like to pursue the possibility of updating the NCSL transmission primer. This would help introduce tribes to transmission at a basic level.
- *Energy Performance Savings Contracts*. IE would like to look into the possibility of involving tribal governments in energy performance savings contracts.
 - IE is working on facilitating a discussion with BIA and FEMP, and to also involve IHS, to put together a joint initiative between federal agencies and tribes to conduct energy efficiency improvements on a reservation-wide basis. This would include BIA buildings, small scattered sites, etc.
 - Energy efficiency retrofits could be done in those buildings under the federal energy performance contracting tool that the federal government uses to save energy in government facilities. IE is considering bundling sites together.
 - IE wants tribal governments to be involved in this process—to bundle smaller offices and see if energy efficiency can be improved to reduce energy costs. These discussions are just in the beginning stages, but IE hopes to have the ability to talk to tribes and BIA over the next 90-120 days.
 - An added benefit is tribal jobs.
 - There is questioning of whether the federal government would hire tribal members to do the energy savings work or a utility company to come in to do the retrofitting, and then the tribe would be repaid through the utility bill. IE will query tribal utilities to see if the capability exists, and if not, if the tribal utilities are interested in gaining the capability and doing this kind of work. FEMP has said they will provide TA if the interest is there.
 - IE will keep ICEIWG updated on this.
- IE will provide testimony at a hearing on energy development in Indian Country on February 16, 2012. The testimony will include discussion of IE initiatives, what the office has learned, the issues that have come up, opportunities, and what tribes are pursuing. IE will focus on what is going on in Indian Country, the interest and participation, and the obstacles.
- IE would like to reach out to Gila River and a few other local tribes to continue previous conversations.

ICEIWG MEMBER ACTION ITEMS & ICEIWG PRIORITIES

- Following the Tribal Leader Solar Forum, IE noted that the working group should start tracking the California PUC expressed need and hope to track renewable energy generated on tribal lands. It is not hard and there are fast compliance requirements, but they're goals that they take seriously. IE would like to talk to them about meeting their women and minority goals. In the past years, some have met gas procurement through some tribal gas deals.
- IE would like to focus on member information needs so that it can gather information that is helpful for tribes and ICEIWG in their efforts. The transmission study will be helpful along with the baseline electrification study.
- IE is building its website and working to create document libraries, so the energy education standpoint will be fulfilled. IE would like feedback about whether it is providing the right information, what else members would like, and if there are any key pieces of information that IE is missing.
- Next time ICEIWG meets, it would be helpful to go through a mock version of what the document library will look like to discuss whether it makes sense, what is missing, whether you can easily navigate it, and whether it is user-friendly. The goal is to provide a user-friendly clearinghouse.
- ICEIWG members noted that it would be helpful to have bullet point style cheat sheets. Many deals are complicated, but these could help identify and highlight key areas. Staying away from acronyms is very important when dealing with these issues and providing the right information, and a cheat sheet of acronyms would be helpful.

- NREL has a list of documents that would go into the document library. IE would like those to be sent to ICEIWG members for feedback—is the language plain and clear enough? Is it pertinent and easy to understand?
- Tribes have expressed to IE that they would like to see due diligence checklists for when developers approach them. IE will work to include this in the document library which will be resource and state specific.
- ICEIWG will revisit the issue matrix in the future to discuss whether it's a tool worth developing for the working group.
- ICEIWG members noted that it would be helpful to have some type of webmaster function on the website for visitors to submit questions. IE noted that this is something they will consider.
- ICEIWG members suggested the idea of the working group developing a guidance document for tribal leaders. IE might send out an email to flesh out the ideas that would go into it and how the document would be used. This could be something with the signature of the working group.