

Mission Valley Power Consumer Council
Pablo, MT. 59855

April 24, 2023

Submitted via email to post2028@bpa.gov

Mission Valley Power (MVP) is a utility operated and managed by the Confederated Salish and Kootenai Tribes (CSKT) in Western Montana, exclusively serving the Flathead Indian Reservation. MVP is a non-profit public utility and for all intents and purposes is a Tribal utility as the CSKT have managed the utility for well over 30 years. All employees who work for MVP receive a CSKT Tribal check and they participate in the CSKT benefit program. MVP employees do not receive federal checks and are not considered federal employees.

MVP does not offer dividends like many utility cooperatives. The utility (and its customers) would benefit greatly in having access to the lowest cost power available through the federal system.

The Tribes manage the utility under the terms of a **Self Determination Contract under a Public Law 93-638 opportunity** (25 U.S.C. 5301 et seq.) which enhances Tribal sovereignty and access to good paying jobs. Bonneville Power as a federal entity must recognize the federal P.L. Self Determination law which applies to Tribes and the importance of all Tribal self-determination efforts in addressing unique reservation challenges.

The MVP Consumer Council has a defined role in advocating for MVP customers. We offer comment to public processes such as this and to local customer service issues. Therefore, our comment is made on behalf of 22,000 MVP customers.

BPA's trust responsibility to Tribes as defined by federal laws, treaties, executive orders and policies are not designed to *EXCLUDE* Mission Valley Power from the benefits other Tribal utilities have. BPA's mission and policy statement can be expanded to allow Tier 1 rate eligibility to all Tribal utilities regardless of formation date. BPA's mandate includes supporting Tribal self-determination efforts whether gained through a contract or compact operation of a utility.

The MVP utility faces the same other unique challenges faced by other Tribal utilities due to sovereign, legal and jurisdictional circumstances as well as having a checkboard landscape between Tribal and non-Tribal persons, who live on the reservation. MVP meet's the definition of a Tribal utility within the definition of BPA policy and BPA written recognition of unique Tribal circumstances.

Seventeen per cent (17%) of the customers in Lake County, Montana live in poverty. The utility service area covers four (4) counties and in Sanders County, the poverty rate is 16.6% and 23.5% of the population in Sanders County has Medicaid coverage which is based on a poverty determination.

When we look at the issue of poverty, the nationwide Native American poverty rate is 23% as compared to the 8.2% poverty rate for the white populace. On the Flathead Indian Reservation more than 40 different Tribes reside here and the variety of Tribes who do reside here can be verified by examining records from Salish Kootenai College, the Tribal Health Department and the local public-school systems. Montana is in the 10 lowest income per household states.

In the simple sense, poverty, is lacking access to basic needs such as food, clothing and shelter. Poverty is also about exclusion. The BPA Tier 1 rate definition attempts to include Tribal Utilities but by including arbitrary factors such as date a utility was created/formed, you are excluding some of the very customers who are eligible within the context of the BPA definition.

MVP and the community we serve faces the same social issues that other Tribal utilities face in their communities. There are unique legal, social and economic challenges in every Tribal community.

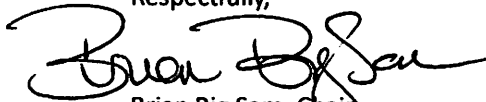
We urge Bonneville Power to expand its definition and access to power sold at Tier 1 rates for load growth experienced by ALL Tribal Utilities.

BPA's efforts to Include Mission Valley Power with other Tribal utilities would align with BPA policy rationale (BPA definition) in *recognizing unique reservation-based challenges*.

The Mission Valley Power Consumer Council urges you to expand the definition of who is eligible for Tier 1 rates for load growth. We request that the MVP utility operated by the Confederated Salish and Kootenai Tribes be determined to be a Tribal utility eligible for Tier 1 rates, now and at the time of contract renewal in 2028.

Thank you for allowing the MVP Consumer Council to comment.

Respectfully,

A handwritten signature in black ink, appearing to read "Brian Big Sam". The signature is fluid and cursive, with the first name "Brian" being the most prominent.

Brian Big Sam, Chair
Mission Valley Power Consumer Council

Copy - MVP Utility Board, Flathead Agency Supt.