



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



DEC 19 2006

Dear Tribal Leader:

Section 1813 of the Energy Policy Act of 2005 (Pub. L. 109-58) requires the Department of the Interior and the Department of Energy (Departments) to jointly conduct a study of issues related to energy rights-of-way (ROWs) on tribal lands.

Section 1813 also requires the Departments to consult with tribes in the course of the study. We want to thank you for the time and effort you previously took to participate in this study process by submitting written comments, testifying at public meetings, or participating in government-to-government consultations with the Departments.

The Act further directs the Departments to submit a report to Congress on the findings of the study, including: (1) an analysis of historic rates of compensation paid for energy ROWs on tribal land; (2) recommendations for appropriate standards and procedures for determining fair and appropriate compensation to Indian tribes for grants, expansions, and renewals of energy ROWs on tribal land; (3) an assessment of the tribal self determination and sovereignty interests implicated by applications for the grant, expansion, or renewal of energy ROWs on tribal land; and, (4) an analysis of relevant national energy transportation policies relating to grants, expansions, and renewals of energy ROWs on tribal land.

On December 21, 2006, the Departments will release a revised Draft Report to Congress. This latest Draft Report to Congress reflects the Departments consideration of comments received on the August 9, 2006 draft and from subsequent meetings. It will be distributed to via the Section 1813 email list and is available on the Section 1813 Web site (<http://1813.anl.gov>).

If you would like to submit written comments about the analysis or findings contained in the revised draft report, please do so by January 31, 2007. You may submit comments by email to IEED@bia.edu (please include the phrase "Section 1813 Comments" in the subject line of your e-mail). You may also submit comments through regular mail, with reference to Section 1813 ROW Study, to the following address: Office of Indian Energy and Economic Development, Room 20 – South Interior Building, 1951 Constitution Avenue, NW, Washington, DC 20245. In your comments, please explain the reasoning behind your comments and suggestions, and where possible, reference the specific section or paragraph you are addressing.

James E. Cason
Associate Deputy Secretary
Department of the Interior

Sincerely,

Kevin Kolevar
Director, Office of Electricity
Delivery and Energy Reliability
Department of Energy