

ORIGINAL

LAW OFFICES OF
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May 17, 2007

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

2007 MAY 17 P 4: 14
RECEIVED
FEDERAL ENERGY REGULATORY COMMISSION

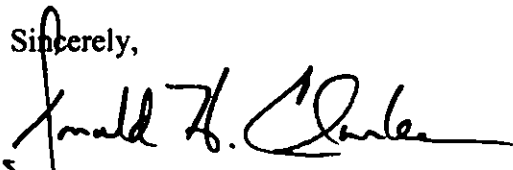
**Re: Public Utility District No. 1 of Okanogan County, Washington, Application for Preliminary Permit
Shanker's Bend Hydroelectric Project, FERC Project No. P-12804-000**

Dear Secretary Bose:

Enclosed for filing are an original and eight (8) copies of Public Utility District No. 1 of Okanogan County's Application for Preliminary Permit for the Shanker's Bend Hydroelectric Project. An additional two copies are enclosed to be date stamped and returned via our courier. Thank you for this courtesy.

Consistent with Section 4.81(b)(5) of the Commission's regulations, a copy of this application and the attached FERC Form 587 are being sent to the appropriate office of the Bureau of Land Management.

Should you have any questions regarding the enclosed application, please do not hesitate to contact Dan Boettger, Director, Regulatory and Environmental Affairs at (509) 422-8425 or the undersigned counsel. The District appreciates the Commission's consideration of this Application.

Sincerely,

Donald H. Clarke

Counsel for Public Utility District No. 1 of
Okanogan County

Enclosures

cc: Portland Regional Office, FERC
Bureau of Land Management, Portland Office

ORIGINAL

**BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

**APPLICATION FOR PRELIMINARY PERMIT
SHANKER'S BEND HYDROELECTRIC PROJECT**

**SUBMITTED BY
PUBLIC UTILITY DISTRICT NO. 1 OF OKANOGAN COUNTY**

May 17, 2007

FILED
OFFICE OF THE
SECRETARY
2007 MAY 17 P 4: 14
REGULATORY COMMISSION

**BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Application for Preliminary Permit

**Public Utility District No. 1 of) Project No. _____
Okanogan County**

1. Public Utility District No. 1 of Okanogan County ("District" or "Applicant") applies to the Federal Energy Regulatory Commission for a preliminary permit for the proposed Shanker's Bend Hydroelectric Project ("Project"), as described in the attached exhibits. This application is made in order that the Applicant may secure and maintain priority of application for a license for the Project under Part I of the Federal Power Act while obtaining the data and performing the acts required to determine the feasibility of the Project and to support an application for a license.

2. The location of the proposed Project is:

State or Territory: Washington
County: Okanogan
Nearby Town: Oroville
Stream or Other Body of Water: Similkameen River

3. The exact name, business address, and telephone number of the Applicant are:

Public Utility District No. 1 of Okanogan County
1331 Second Avenue N.
Post Office Box 912
Okanogan, WA 98840
Tel. (509) 422-3310

The exact name and business address of each person authorized to act as agent for the Applicant in this application are:

Doug Adams, Interim Manager
Public Utility District No. 1 of Okanogan County
1331 Second Avenue N.
Post Office Box 912
Okanogan, WA 98840
Tel. (509) 422-8485

Dan Boettger, Director, Regulatory and Environmental Affairs
Public Utility District No. 1 of Okanogan County
1331 Second Avenue N.
Post Office Box 912
Okanogan, WA 98840
Tel. (509) 422-8425

Donald H. Clarke
Law Offices of GKRSE
1500 K Street, NW, Suite 330
Washington, DC 20005
Tel. (202) 408-5400

- 4. The District is a municipal entity under Washington law and is claiming preference under section 7(a) of the Federal Power Act. Attached as Exhibit 5 is evidence of legal authority that the District is competent under state law to engage in the business of developing, transmitting, utilizing and selling power.
- 5. The proposed term of the requested permit is 36 months.
- 6. Ownership of existing facilities.

The Project would utilize an existing railroad tunnel. The tunnel is not in use, but is owned by the District.

- 7. Every county in which any part of the project, and any Federal facilities that would be used by the project, would be located:

Okanogan County
County Clerks Office
149 North Third Avenue
Okanogan, WA 98840

- 8. Every city, town, or similar local political subdivision:
 - a. In which any part of the project, and any Federal facilities that would be used by the project, would be located:

None

- b. That has a population of 5,000 or more people and is located within 15 miles of the project dam:

None

9. Every irrigation district, drainage district, or similar special purpose political subdivision:

a. In which any part of the project, and any Federal facilities that would be used by the project, would be located:

Oroville-Tonasket Irrigation District
516 11th Avenue
Oroville, WA 98844

(The Oroville-Tonasket Irrigation District is located in the Project vicinity and therefore we cannot preclude the possibility that its lands or interests may be involved.)

b. That owns, operates, maintains, or uses any project facilities or any Federal facilities that would be used by the project:

None

10. Every other political subdivision in the general area of the project that there is reason to believe would likely be interested in, or affected by, the application:

City of Okanogan
P.O. Box 752
Okanogan WA 98840

City of Omak
P.O. Box 72
Omak, WA 98841

City of Oroville
Clerk's Office
P.O. Box 2200
Oroville, WA 98844

City of Tonasket
P.O. Box 487
Tonasket, WA 98855

Regional District of Okanagan-Similkameen Board
Head Office
101 Martin St.
Penticton, BC V2A 5J9
Canada

Village of Keremos
702 4th St (P.O. Box 160)
Keremos, BC V0X 1N0
Canada

Town of Princeton
P.O. Box 670
Princeton, BC V0X 1W0
Canada

Princeton, BC V0X 1W0
Town of Osoyoos
8707 Main Street
Osoyoos, BC V0H 1V0
Canada

11. All Indian tribes that may be affected by the project:

Confederated Tribes of the Colville Reservation
P.O. Box 150
Nespelem, WA 99155-0150

Osoyoos Indian Band
RR#3, Site 25, comp 1
Oliver, BC V0H 1T0
Canada

Lower Similkameen Indian Band
PO Box 100
Keremeos, BC V0X 1N0
Canada

Upper Similkameen Indian Band
P.O. Box 310
Keremeos, BC V0X 1N0
Canada

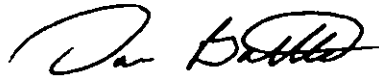
Okanagan Nation Alliance
3233C Shannon Road
Westbank, BC V4T 1V4
Canada

12. The following exhibits are filed herewith and are hereby made a part of this application.

- Exhibit 1: Project Description
- Exhibit 2: Study Plan
- Exhibit 3: Project Maps & Drawings
- Exhibit 4: Land Description Form, FERC Form 587
- Exhibit 5: Evidence of Municipal Authority

Respectfully submitted,

Public Utility District No. 1 of Okanogan County



Dan Boettger
Director, Regulatory and Environmental Affairs
Public Utility District No. 1 of Okanogan County

**EXHIBIT 1
PROJECT DESCRIPTION**

The Public Utility District No. 1 of Okanogan County ("District" or "Applicant") proposes to construct, operate and maintain the Shanker's Bend Hydroelectric Project ("Project") to be located on the Similkameen River near Oroville, Washington. The Project would be located at river mile 7.3, upstream of the District's proposed Enloe Hydroelectric Project, FERC Project No. 12569, to be located at the existing Enloe Dam.

The District is interested in the hydroelectric capacity of the Project, which it intends to construct as a multi-purpose power, water storage, and flood control facility. This Project has been studied by the Army Corps of Engineers, the International Joint Commission and the District from time to time since 1948. In fact, in 1983 the District obtained a preliminary permit from the Federal Energy Regulatory Commission ("FERC" or "Commission") for a potential project at this site (FERC Project No. 7037).

(1) Proposed Project Works

The proposed Project will consist of new and existing facilities to be constructed at approximately river mile 7.3 on the Similkameen River. At this stage, the District is evaluating the optimal height of the Project dam. Through feasibility studies described in Exhibit 2, the District will analyze a range of Project configurations involving dams with heights ranging from 90 to 260 feet.¹ For purposes of this application, the District seeks a preliminary permit for the Project with a 260-foot high dam located approximately 5 miles northwest of the town of Oroville.

The proposed dam will be a concrete gravity or earthen rockfill dam (depending on height). At 260 feet high and 1,200 feet long, the dam will impound an 18,000 acre reservoir with a gross storage capacity of 1.7 million acre-feet (1.6 MAF flood control; 1.3 MAF active storage for power generation). The normal pool elevation of the reservoir will be 1289 feet. Approximately half of the reservoir will be located in Canada.²

A reinforced concrete-lined tunnel will be constructed through the left abutment with control gates to release water for irrigation use. An ogee and channel type spillway

¹ The District's preliminary evaluations indicate the potential feasibility of varying levels of storage capacity and generating capacity depending upon the height of the dam and other factors. Consistent with the purposes of a preliminary permit, the District will continue refining the preliminary features of the Project as it conducts the studies necessary to develop the optimal design of the Project and determine the feasibility of the Project. If the District determines the Project is feasible through these studies, the District will select from among the alternatives and configurations explored with these studies for proposal in a license application.

² The District recognizes that the Commission's jurisdiction to license hydroelectric projects extends only to lands and waters located in the United States. Accordingly, the District will take the necessary actions at the appropriate time to ensure the applicable authorizations are received for Project facilities located in Canada.

with a maximum pool capacity of 77,000 cubic feet per second ("cfs") will be constructed by excavation in rock around the right abutment. A concrete overflow weir, with a crest elevation of 1,264 feet will be constructed in the spillway channel in line with the crest of the dam and controlled by taintor gates. The spillway will return the water to the river about 600 feet downstream of the dam, about 4,400 feet upstream of the powerhouse.

An existing 1700 foot-long abandoned railroad tunnel will be enlarged to 20 feet in diameter and lined with steel or concrete for use as a power tunnel terminating at the powerhouse to be located at the end the tunnel. The upstream end will have an intake tower equipped with wheel-mounted gates or cylinder gates. At the downstream end, the tunnel will connect to a surge tank which will direct flow into a 20-foot diameter concrete-encased 210 foot-long steel penstock. The penstock will diverge into two branches, each with a butterfly valve at the downstream end inside the powerhouse.

A new powerhouse, located 1.1 miles downstream of the dam with a steel-frame construction and concrete substructure, will contain two 12-foot-diameter Francis-type turbines, rated at 58,000 horsepower, directly connected to vertical shaft generators rated at 42,000 kilowatts.

After passing through the turbines, 50-foot long draft tubes would return the flows to the Similkameen River at approximately river mile 6.2.

(2) Transmission

A switchyard containing transformers, breakers and disconnects will be constructed adjacent to the powerhouse. Power will be transmitted over a new, approximately 7.5 mile-long, 115 kV overhead transmission line. The transmission line will terminate at the District's existing substation in Oroville, Washington.

(3) Estimated Energy Production and Installed Capacity

The total estimated average annual energy production and installed capacity are 280,000 megawatt-hours and 84,000 kilowatts, respectively, based upon an estimated gross hydraulic head of 244 feet.

(4) Federal Lands

All lands of the United States that are enclosed within the proposed project boundary are identified and tabulated on the attached FERC Form 587 and shown in the attached Figure A, Project Boundary Map. The project boundary has been drawn to incorporate lands and facilities necessary for the development of the 260-foot-high dam.

(5) Other Information

The Project would not only provide important hydroelectric power for the growing Okanogan County area, but would be a regionally important water storage project. The Project would permit the Town of Oroville and possibly other local jurisdictions to satisfy existing water needs without the need for new conveyance facilities. In addition, the Project would provide substantial additional benefits such as flood control, water quality improvements in the Okanogan River for the benefit of anadromous fish, and potential irrigation benefits.

EXHIBIT 2 STUDY PLAN

During the term of the preliminary permit, the District will conduct studies to examine the technical, economic, financial, and environmental aspects of the Project and determine Project feasibility.

Description of Studies

The U.S. Army Corps of Engineers (1948, 1973,), the International Joint Commission (1975), the District (1983), and others have examined the feasibility and potential impacts of constructing a multi-purpose water storage and hydroelectric dam on the Similkameen River at Shanker's Bend from time to time since 1948. The District's studies will update and build upon available information from these studies in order to determine the feasibility of constructing the Project and the optimal configuration of the Project. The objective of the studies is to provide a more accurate technical and cost evaluation for developing the Project. Upon a finding of feasibility, the District will commence the licensing process in consultation with interested stakeholders in order to develop a license application.

The District will conduct both pre-feasibility and feasibility studies, including field investigations and surveys, to examine the Project development concept in more detail. No new roads are expected to be required to complete the studies. Further, the studies will not involve significant ground disturbing activities. Any disturbed areas resulting from soil borings and test pits will be completely restored and re-vegetated with native grasses.

The pre-feasibility and feasibility studies will primarily involve engineering evaluations, including geotechnical analyses, geology and soils studies, hydrologic and reservoir operation analysis and preliminary design work. The information gathered in these studies will be used to develop refined cost, energy and water storage estimates for various Project configurations.

In addition, the District will perform various environmental, biological and cultural/archaeological studies in order to establish a description the environmental setting and identify potential environmental impacts and mitigation measures for any significant effects. In particular, the District will examine water use and quality, perform aquatic, botanical, wildlife, cultural, archaeological and historical resource studies, as well as recreation studies, land use and socio-economic studies. These studies will include identification and analysis of impacts on special status species and habitats. At the feasibility stage, these studies will primarily involve desktop analyses, to be followed later by field evaluations. Studies will be conducted to ensure compliance with the FERC's requirements for license applications for major projects.

Due to the extent of the Project reservoir, the District anticipates engaging in careful analysis of the effect of the Project on cultural, archaeological and historical resources at the appropriate time. This analysis will be conducted to ensure compliance with the National Historic Preservation Act and related laws.

Work plan for New Dam Construction

The proposed Project would involve the construction of a new dam at approximately river mile 7.3 on the Similkameen River.

Field studies to be conducted are anticipated to include detailed geological surveys, hand sampling, non-destructive geophysical surveys, test pits, and soil borings. These studies will require only minor ground disturbing activities. Test pits and borings are expected to be along the dam axis and abutments.

Disturbed areas will be restored to their original condition. Test pits and borings will be filled and capped, and any disturbed ground graded and re-vegetated with native grasses. To the extent borings are necessary in the riverbed, the District will take such actions as are necessary to limit water quality changes. The District will obtain such permits and authorizations as may be necessary to conduct these activities.

Based on the foregoing description of the field studies to be conducted, the District respectfully requests waiver of the full requirements of 18 C.F.R. § 4.81(c)(2) or confirmation that the above description fulfills the requirements of same. The field studies, tests, and other activities to be conducted under the permit would not adversely affect cultural resources or endangered species and would cause only minor alterations or disturbances of lands and waters, and any land altered or disturbed would be adequately restored.

Schedule

Table 1 below shows the estimated schedule for the feasibility studies discussed above. Assuming the studies described above demonstrate Project feasibility, the District will consider whether additional studies are necessary or appropriate prior to commencing the FERC licensing process by filing of a Notification of Intent to File an Application for Original License ("NOI") and Pre-Application Document ("PAD") pursuant to 18 C.F.R. pt. 5. If the District decides to pursue a Project license by filing an NOI and PAD, the detailed study plan will be prepared in consultation with appropriate agencies, tribes and interested members of the public pursuant to the licensing process. The estimated scheduled set forth below assumes that the District will commence the Integrated Licensing Process at the start of the third year of the permit term; however, as above, the District's decision to proceed with filing an NOI and PAD will be based upon the adequacy of available information regarding the Project's feasibility and potential impacts.

Table 1

ACTIVITY	START (day)	FINISH (day)	NOTES
Pre-ILP Work			
Project Description	0	730	Develop draft and final Project Description and assemble background information. Complete after completing early studies and early consultation.
Feasibility Study	0	120	
Early Technical Studies	120	670	
Early Consultation	120	730	Conduct early, informal discussion with agencies, tribes and key stakeholders.
Technical Study Plan	270	730	Develop Technical Study Plan
MILESTONE: FILE NOI AND PAD – Day 730			
FERC notices NOI/PAD & issues Scoping Document 1 ("SD1")	730	790	Must occur within 60 days of NOI
FERC holds scoping meetings/site visit	790	820	
Comments on PAD etc.	730	850	Comments on PAD, SD1 and study requests due within 120 days of NOI
File Proposed Study Plan	850	895	
Comments on Study Plan	895	985	
File revised Study Plan	985	1115	FERC issues Study Plan Determination within 30 days of filing, and if no disputes are raised within 20 days of the determination, technical studies may begin
Technical Studies	1165	1895	Standard schedule provides for two years of study
Study Reports	1300	1950	
MILESTONE: FILE PRELIMINARY LICENSING PROPOSAL – Day 2000			
Comments on Preliminary Licensing Proposal	2000	2090	
MILESTONE: FILE LICENSE APPLICATION – Day 2150			
FERC issues NOA & REA	2150	2225	Notice of Acceptance and Notice of Ready for Environmental Analysis
Comments, Interventions & Preliminary Terms & Conditions	2225	2285	
FERC EA/EIS Process	2285	2650	
MILESTONE: FERC ISSUES NEW LICENSE ORDER – Day 2880			

Costs & Financing

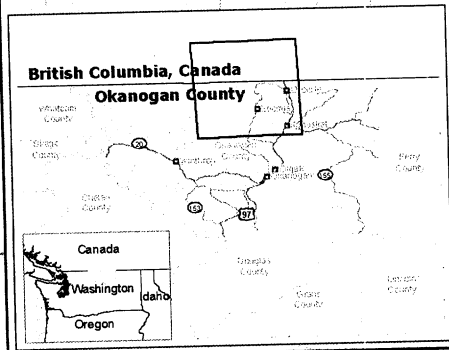
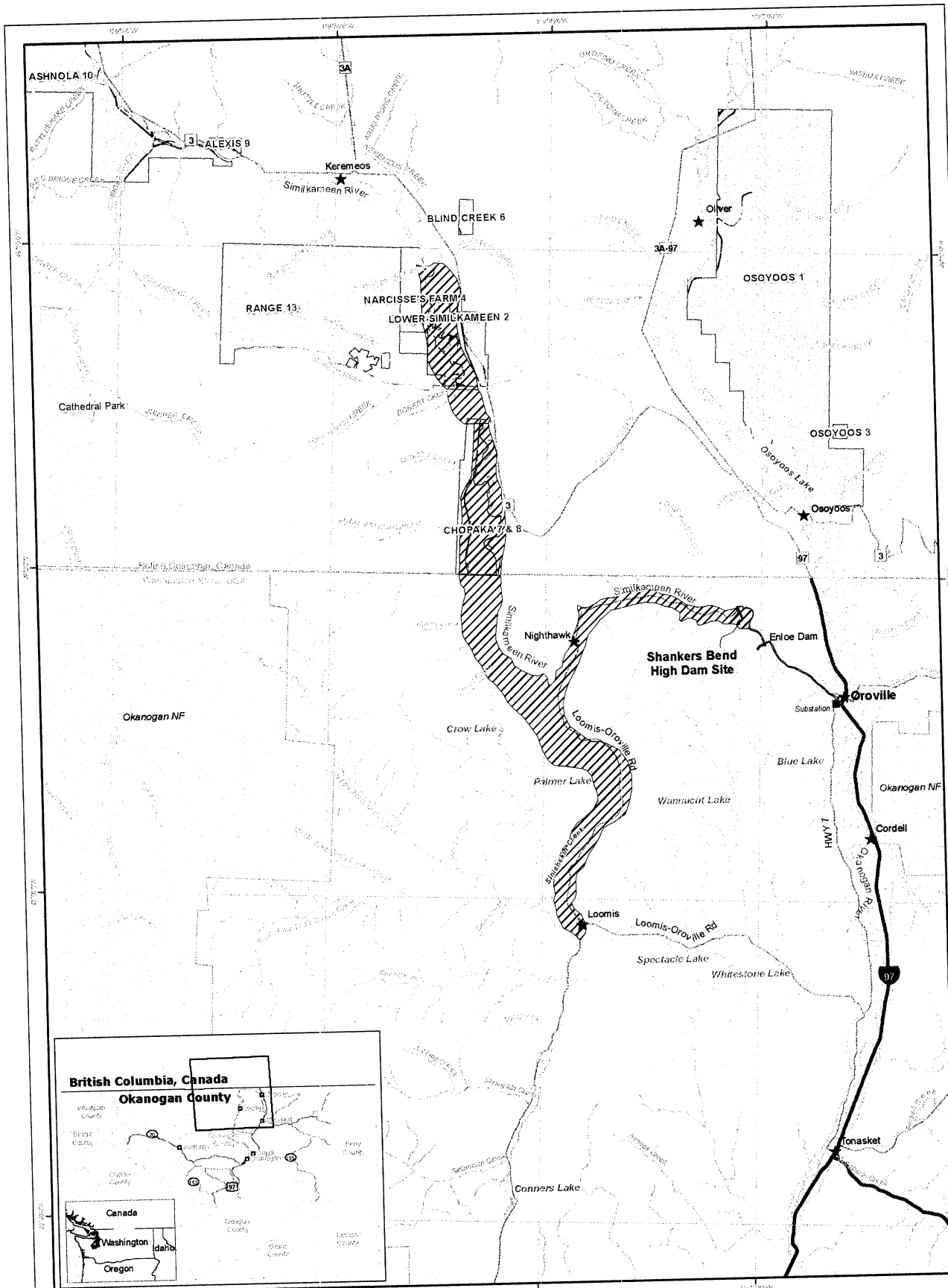
The cost to conduct the studies and investigations identified is estimated to be \$10-15 million. This cost estimate is based on completion of all work necessary to file a final license application with the Commission. The District intends to finance the necessary studies through both ordinary revenues and through grant funding. The District has applied for funding from the Washington Department of Ecology. As of the time of this filing, the Department of Ecology has indicated funding is likely for pre-feasibility studies. A final decision on the receipt of such funding is pending.

**EXHIBIT 3
PROJECT MAPS**

The District is not aware of any areas within or in the vicinity of the proposed project boundary which are included in or have been designated for study for inclusion in the National Wild and Scenic Rivers System. Further, the District is not aware of any areas within the project boundary that, under the provisions of the Wilderness Act, have been: designated as wilderness area, recommended for designation as wilderness area, or designated as wilderness study area.

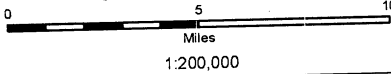
Figure A – Project Boundary Map

Figure B – Map of Proposed Facilities



- Indian Reservation
 - Project Area*
 - City or Town
 - Provincial Park (Canada)
 - Stream/River
 - National Forest
 - Lake/Reservoir
- *The project boundary beyond the international border is provided for information only to delineate the project footprint.

Shakers Bend High Dam Project Boundary Map



May 2007
ENTRIX
ENVIRONMENTAL CONSULTANTS

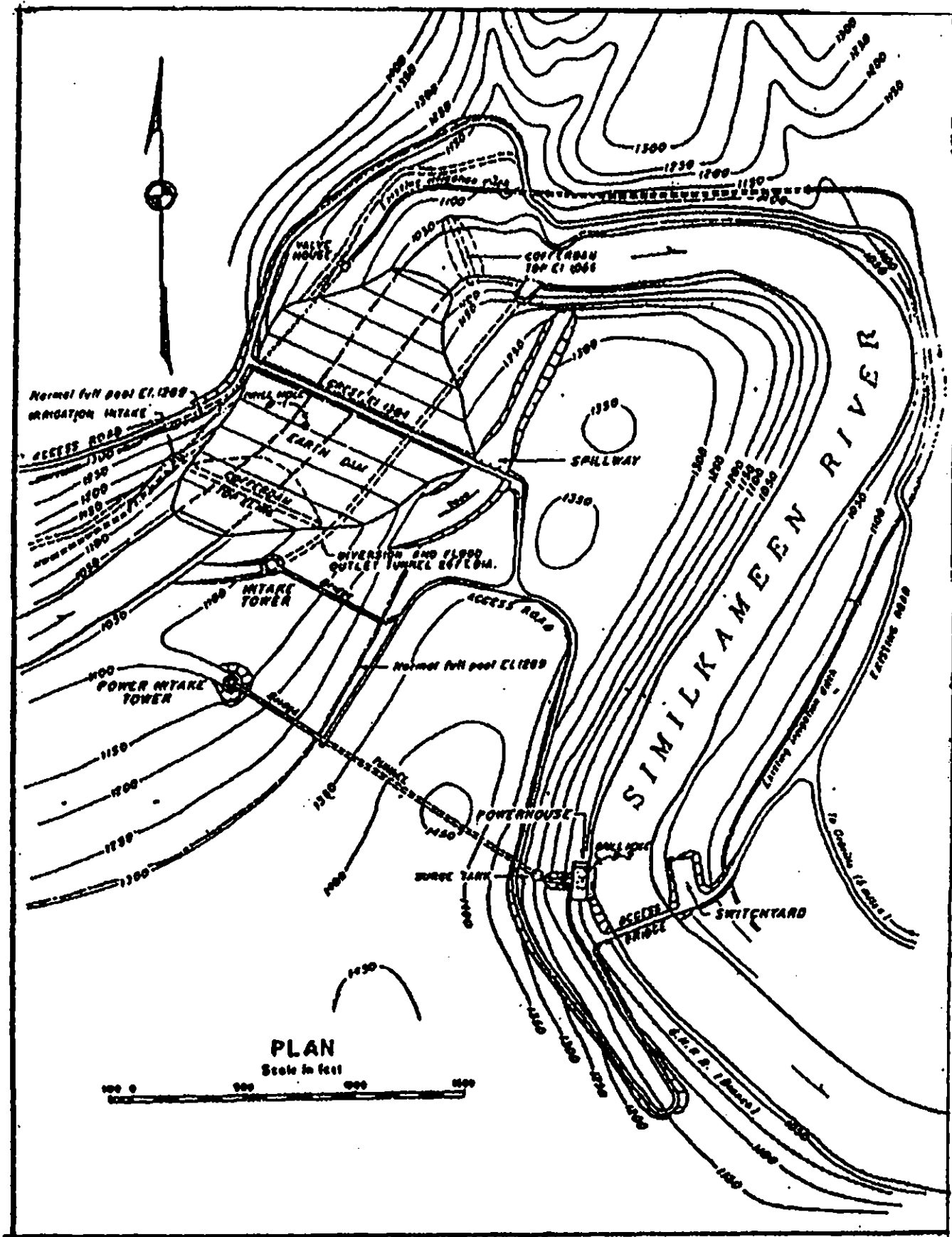


Figure B

EXHIBIT 4
LAND DESCRIPTION FORM, FERC Form 587

Form FERC-587
 OMB No. 1902-0145
 (Expires 06/30/2009)

LAND DESCRIPTION

**Public Land States
 (Rectangular Survey System Lands)**

1. STATE Washington 2. FERC PROJECT NO. _____
 3. TOWNSHIP 38 RANGE 25 MERIDIAN EWM

4. Check one: License Preliminary Permit
 Check one: Pending Issued

If preliminary permit is issued, give expiration date: _____

5. EXHIBIT SHEET NUMBERS OR LETTERS

Section 6	5	4	3	2	1
				43 44	45
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	28	25
31	32	33	34	35	36

6. contact's name Dan Boettger
 telephone no. (509) 422-8425
 Date submitted 5/17/2007

This information is necessary for the Federal Energy Regulatory Commission to discharge its responsibilities under Section 24 of the Federal Power Act.

Form FERC-587
OMB No. 1902-0145
(Expires 06/30/2009)

LAND DESCRIPTION

**Public Land States
(Rectangular Survey System Lands)**

1. STATE Washington 2. FERC PROJECT NO. _____

3. TOWNSHIP 39 RANGE 25 MERIDIAN EWM

4. Check one:

Check one:

License
 Preliminary Permit

Pending
 Issued

If preliminary permit is issued, give expiration date: _____

5. EXHIBIT SHEET NUMBERS OR LETTERS

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18	17	16	15	14	13
					39
19	20	21	22	23	24
					40
30	29	28	27	26	25
					41
31	32	33	34	35	36
				42	

6. contact's name Dan Boettger

telephone no. (509) 422-8425

Date submitted 5/17/2007

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Form FERC-587
OMB No. 1902-0145
(Expires 06/30/2009)

LAND DESCRIPTION

**Public Land States
(Rectangular Survey System Lands)**

1. STATE Washington 2. FERC PROJECT NO. _____

3. TOWNSHIP 39 RANGE 26 MERIDIAN EWM

4. Check one:

Check one:

License
 Preliminary Permit

Pending
 Issued

If preliminary permit is issued, give expiration date: _____

5. EXHIBIT SHEET NUMBERS OR LETTERS

Section 6	5	4	3	2	1
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18	17	16	15	14	13
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19	20	21	22	23	24
37					
30	29	28	27	26	25
31	32	33	34	35	36

6. contact's name Dan Boettger

telephone no. (509) 422-8425

Date submitted 5/17/2007

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Form FERC-587
 OMB No. 1902-0145
 (Expires 06/30/2009)

LAND DESCRIPTION

**Public Land States
 (Rectangular Survey System Lands)**

1. STATE Washington 2. FERC PROJECT NO. _____

3. TOWNSHIP 40 RANGE 25 MERIDIAN EWM

4. Check one:

Check one:

License
 Preliminary Permit

Pending
 Issued

If preliminary permit is issued, give expiration date: _____

5. EXHIBIT SHEET NUMBERS OR LETTERS

Section 6	5	4	3	2	1
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7	8	9	10	11	12
	47 49	48			24
18	17	16	15	14	13
	51			26 27 50	25 26 27
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	53 54	55 56		30 32	31 33 52 28 29
30	29	28	27	26	25
		57 59	58	34	
31	32	33	34	35	36
			60		

6. contact's name Dan Boettger

telephone no. (509) 422-8425

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Form FERC-587
 OMB No. 1902-0145
 (Expires 06/30/2009)

LAND DESCRIPTION
Public Land States
(Rectangular Survey System Lands)

1. STATE Washington 2. FERC PROJECT NO. _____
 3. TOWNSHIP 40 RANGE 26 MERIDIAN EWM

4. Check one: Check one:
 License Pending
 Preliminary Permit Issued

If preliminary permit is issued, give expiration date: _____

5. EXHIBIT SHEET NUMBERS OR LETTERS

Section 6	5	4	3	2	1
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7 14 15	8 12 13 21	9 11 19 20	10 9 10 17 18	11 8 22	12 7 16
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19	20	21	22	23	24
30	29	28	27	26	25
31 23	32	33	34	35	36

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LAND DESCRIPTION

**Public Land States
(Rectangular Survey System Lands)**

1. STATE Washington 2. FERC PROJECT NO. _____

3. TOWNSHIP 40 RANGE 276 MERIDIAN EWM

4. Check one:

Check one:

License
 Preliminary Permit

Pending
 Issued

If preliminary permit is issued, give expiration date: _____

5. EXHIBIT SHEET NUMBERS OR LETTERS

Section 6	5	4	3	2	1
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19 62	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

6. contact's name Dan Boettger

telephone no. (509) 422-8425

Date submitted 5/17/2007

This information is necessary for the Federal Energy Regulatory Commission to discharge its responsibilities under Section 24 of the Federal Power Act.

EXHIBIT 5
EVIDENCE OF MUNICIPAL AUTHORITY

Public Utility District No. 1 of Okanogan County was established by a general election in 1936 and began operations in 1945. The District is governed by Chapter 54 of the Revised Code of Washington. Pursuant to Section 54.16.040 of Chapter 54, attached hereto, the District is authorized to engage in the business of developing, transmitting, utilizing, and distributing power.

LEXSTAT WASH. REV. CODE 54.16.040

ANNOTATED REVISED CODE OF WASHINGTON
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a member of the LexisNexis Group.
All rights reserved.

*** Statutes current through all newly enacted legislation that is effective through April 16, 2007

*** Annotations current through March 13, 2007 ***

TITLE 54. PUBLIC UTILITY DISTRICTS
CHAPTER 54.16. POWERS

GO TO REVISED CODE OF WASHINGTON ARCHIVE DIRECTORY

Rev. Code Wash. (ARCW) § 54.16.040 (2007)

§ 54.16.040. *Electric energy*

A district may purchase, within or without its limits, electric current for sale and distribution within or without its limits, and construct, condemn and purchase, purchase, acquire, add to, maintain, conduct, and operate works, plants, transmission and distribution lines and facilities for generating electric current, operated either by water power, steam, or other methods, within or without its limits, for the purpose of furnishing the district, and the inhabitants thereof and any other persons, including public and private corporations, within or without its limits, with electric current for all uses, with full and exclusive authority to sell and regulate and control the use, distribution, rates, service, charges, and price thereof, free from the jurisdiction and control of the utilities and transportation commission, in all things, together with the right to purchase, handle, sell, or lease motors, lamps, transformers and all other kinds of equipment and accessories necessary and convenient for the use, distribution, and sale thereof: PROVIDED, That the commission shall not supply water to a privately owned utility for the production of electric energy, but may supply, directly or indirectly, to an instrumentality of the United States government or any publicly or privately owned public utilities which sell electric energy or water to the public, any amount of electric energy or water under its control, and contracts therefor shall extend over such period of years and contain such terms and conditions for the sale thereof as the commission of the district shall elect; such contract shall only be made pursuant to a resolution of the commission authorizing such contract, which resolution shall be introduced at a meeting of the commission at least ten days prior to the date of the adoption of the resolution: PROVIDED FURTHER, That it shall first make adequate provision for the needs of the district, both actual and prospective.

HISTORY: 1955 c 390 § 5. Prior: 1945 c 143 § 1(d); 1931 c 1 § 6(d); Rem. Supp. 1945 § 11610(d).