



# OCETI SAKOWIN POWER AUTHORITY

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**TESTIMONY OF LYLE JACK**  
**CHAIRMAN OF THE BOARD OF DIRECTORS, OCETI SAKOWIN POWER AUTHORITY**  
**before the**  
**HOUSE SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES**  
**April 30, 2019**

My name is Lyle Jack. I'm an enrolled member of the Oglala Sioux Tribe and Chairman of the Board of the Oceti Sakowin Power Authority (OSPA) – Oceti Sakowin is a Lakota term that means "The Great Sioux Nation."

OSPA was founded more than five years ago by six Sioux Tribes to jointly develop our wind and solar resources, while retaining significant control and ownership. OSPA is 100% owned by its member Tribes. It is managed by a Board of Directors that represents each Tribe and is advised by a Council of Elders. The OSPA Tribes share territory with the States of South and North Dakota, and indisputably have among the strongest, most reliable wind resources in the United States.

The OSPA Tribes also occupy some of the poorest counties in the United States, and cannot rely on gaming as a significant revenue source, given their rural locations. Renewable energy development is the best option for strengthening and diversifying our Tribal economies and creating jobs in a socially responsible manner. It is also consistent with our Lakota traditions and culture to protect and preserve the earth for future generations by helping to combat climate change – the recent bomb cyclone and catastrophic flooding across South Dakota demonstrate how important our mission is. OSPA will also promote self-sufficiency by reinvesting in our Tribal communities and assisting in the planning and financing of community-scale renewable energy projects to lower energy costs on the reservations.

OSPA was created to be a reliable business partner – it is pre-approved by the Tribes and the federal government to negotiate and fulfill contracts without additional approvals or delay. By pooling their resources in OSPA, our Tribes have achieved the scale and scope necessary to bring utility-scale development to our reservations.

In 2017 we formed a working partnership with Apex Clean Energy, one of the country's largest developers of wind and solar energy, and we could not have hoped for a better partner. Here's what OSPA and Apex have accomplished over the last two years:

- We have completed initial planning for the first two wind farms – a total of 570 MW on two reservations;
- We have secured transmission queue positions with the Southwest Power Pool;
- We have deployed meteorological towers to measure the wind and started environmental studies at both locations; and

- We are expecting to complete all studies and design work, so that we can start construction in 2021.

OSPA has accomplished this without any financial assistance from the federal government. But it has been extremely hard – the Tribes simply don't have the resources, and were it not for the support of two private foundations and our development partner, OSPA would have failed.

Over the last five years, OSPA sought grants and loan guarantees from the Departments of Agriculture, Energy and the Interior– but was not eligible for any of them. But it is critically important for OSPA to obtain capital to do the early-stage development work of wind farm planning, contracting and regulatory compliance. Providing this early-stage capital enables Tribes to participate in projects as a co-developer, and not just another landowner, and to reap the greatest economic benefit.

Everybody should love OSPA: it leverages a relatively small investment in development to unleash \$850 million in privately funded infrastructure spending, bringing jobs, economic diversity and hope to Tribes and surrounding communities in some of the most remote rural areas of America. It will generate millions in tax revenues to the Tribes, the State of South Dakota and local communities, and substantial lease payments to Tribal members and non-Indian landowners.

So why hasn't the federal government supported OSPA? Simply put, OSPA is too big, too unique and too early stage – the grant, loan and loan guarantee programs run by federal agencies for the benefit of Indian Tribes generally support smaller, incremental projects that are important, but have limited impact. If we want to see truly transformational change, leadership must come from Congress. Here's what Congress can do:

1. Build new transmission, and heavy up existing transmission, so that energy can be delivered from the lowest-cost production sites (like the Dakotas) to the biggest load centers.
2. Buy our power. We anticipate selling most of our power to corporate buyers, and are currently discussing PPAs with some of the largest corporations in the U.S. But the federal government could be an important power buyer as well, and save a lot of tax dollars at the same time by locking in low energy prices for 25 years or more.
3. Change the rules and increase the funding so that federal grant, loan and loan guarantee programs can be used to fund pre-construction development costs for utility-scale projects like OSPA's.
4. If Congress enacts tax credits, make them refundable or transferable so that Indian Tribes can benefit from them. Or, enact tax laws that incent corporations and utilities to buy energy produced by Tribally-owned companies on Tribal lands.

I am providing an Attachment to this testimony, which provides more detail about OSPA, our goals and accomplishments to date, our biggest challenges, and how Congress can help us overcome them.