

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Granting Cellular Telephone Service Certificate  
of Convenience)**

**RESOLUTION NO. 92-012**

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3 **WHEREAS, the Tohono O'Odham Legislative Council has created and**  
4 **established the Tohono O'Odham Utility Authority ("Authority")**  
5 **for the purpose of providing and furnishing utility services,**  
6 **including electric, gas, water, sewer, telephone and cellular radio**  
7 **services, to all areas within the boundaries of the Tohono**  
8 **O'Odham Nation ("Nation") where such services are determined**  
9 **to be feasible and economic, and has specifically directed and**  
10 **granted to the Authority the power to initiate, acquire, operate,**  
11 **maintain, promote and provide, alone or in conjunction with**  
12 **others, cellular radio services and facilities both within and**  
13 **beyond the boundaries of the Nation; and**

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18 **WHEREAS, the Authority has entered into a general partnership, known as**  
19 **the Gila River Cellular General Partnership, with other telephone**  
20 **wireline service companies, to provide cellular telephone service**  
21 **under a license from the Federal Communications Commission**  
22 **within the boundaries of RSA Market No. 322, Arizona 5 - Gila,**  
23 **reserving unto itself the right to provide such service within all**  
24 **portions of the Nation lying within the boundaries of such RSA;**  
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26 **and**  
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**WHEREAS, the main portion of the Nation constituting the Sells Reservation and lying within the Tucson MSA is not currently being provided with cellular service; and**

**WHEREAS, the Authority is the only provider of wireline tele-communications service within said Sells Reservation; and**

**WHEREAS, this Council has found and determined that because of the rural nature and the socio-economic conditions of the Sells Reservation only the Nation itself, acting by and through the Authority, can meet the present and future convenience and necessity of the Nation in providing cellular telephone service within the Sells Reservation.**

**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham Utility Authority is hereby granted an exclusive certificate of convenience and necessity to construct, operate and maintain cellular radio facilities within the boundaries of the Sells Reservation of the Tohono O'Odham Nation and, upon completion thereof or of a functional portion thereof, to provide cellular telephone services within the boundaries of the Sells Reservation of the Nation.**

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The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 8TH. day of JANUARY, 1992 at a meeting at which a quorum was present with a vote of 1,641.0 FOR; -0- AGAINST; 83.0 NOT VOTING; and 01 ABSENT, pursuant to the powers vested in the Council by Section 1 c(4) and i (1) & (2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

Mary Ann Antone  
Mary Ann Antone, Legislative Chairwoman

10<sup>th</sup> day of January, 1992

**ATTEST:**

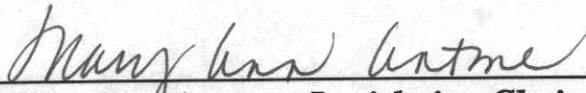
Teresa M. Choyguha  
Teresa M. Choyguha, Legislative Secretary

10<sup>th</sup> day of January, 1992.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10<sup>th</sup> day of January, 1992 at 11:51 o'clock, a.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.


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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

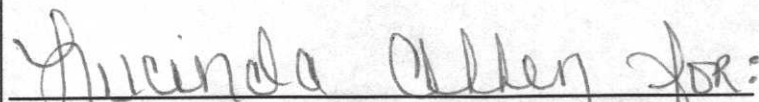
  
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**Mary Ann Antone, Legislative Chairwoman**

**APPROVED** on the 10 day of January, 1992

**DISAPPROVED**) at 12:13 o'clock, P..M.

  
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**JOSIAH MOORE, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 10<sup>th</sup> day of January,  
1992, at 4:27 o'clock, P..M.

  
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**Teresa M. Choyguha, Legislative Secretary**



MOVED: COUNCILMAN VIRGIL LEWISSUBJECT: GRANTING CELLULAR TELEPHONE SERVICESECOND: COUNCILMAN EARL A. FRANCISCOCERTIFICATE OF CONVENIENCEDATE: JANUARY 08, 1992

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Manuel Osequeda, Jr. ( )	62.5	X			
GU VO 114.0	1. Virgil Lewis (Michael Flores)	57.0	X			
	2. Emilio Lewis (Anthony Flores)	57.0	X			
SAN LUCY 106.0	** 1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ( )	53.0	X			
PISINEMO 119.0	1. Johnson Jose ( )	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0			X	
	2. Willard Anita ( )	83.0	X			
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Frances Miguel ( )	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
	** 2. Frances Francisco (Joseph Juan)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			X
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			
	2. Willard Juan, Sr. (Delbert Thomas)	79.0	X			
TOTAL		1,724.0	1,641.0	-0-	83.0	01

\*\*PASSED VOTES