

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
Philip D. Moeller, and Jon Wellinghoff.

Great Bay Hydro Corporation

Project No. 2306-098

ORDER RESCINDING ORDER AMENDING LICENSE

(Issued December 22, 2006)

1. On August 29, 2006, the license for the Great Bay Hydro Corporation's (Great Bay) 4.80-megawatt Clyde River Hydroelectric Project No. 2306 was amended to authorize Great Bay to remove from the project boundary the project's Echo Pond dam and impoundment, Seymour Lake dam and impoundment, and lands and structures associated with the Newport No. 11 development; and to convey in fee 27.9 acres of project land associated with these developments to the Vermont Agency of Natural Resources (Vermont ANR). The amendment also authorized Great Bay to remove from the project boundary and convey in fee to Vermont ANR 25 acres associated with the project's Newport Nos. 1, 2, 3 development, and convey to Vermont ANR an eight-acre conservation easement on project lands at the Newport Nos. 1, 2, 3 development. The project is located on the Clyde River in Orleans County, Vermont.

2. On September 28, 2006, Great Bay and Vermont ANR filed timely requests for rehearing and or clarification of the August 29th Order.¹ Upon consideration of the record in this proceeding, including representations made in the requests for rehearing, there appears to be a need for further review of the amendment proposals to remove

¹ Great Bay requested that the Commission: (1) clarify that the order eliminates license obligations upon transfer and removal from the project boundary of certain project facilities, lands, and waters; (2) revise certain conditions of the order to make them consistent with the order's discussion; and (3) make technical corrections to articles 307, 407, 416, and 421 of the license, and to ordering paragraphs (C) and (H) of the August 29th Order. Vermont requests clarification of the effective date of the August 29th Order.

developments and lands from the project boundary. Accordingly, we are rescinding the order amending license and remanding the proceeding to Commission staff for further action.

The Commission orders:

(A) The order amending license and approving non-project use of project land and water issued in this proceeding on August 29, 2006 is rescinded.

(B) The proceeding is remanded to Commission staff for further action.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.