

152 FERC ¶ 62,044
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Columbia Basin Hydropower

Project No. 14380-001

ORDER GRANTING EXTENSION OF TERM FOR
PRELIMINARY PERMIT

(Issued July 22, 2015)

On July 9, 2015, Columbia Basin Hydropower (CBH) filed an application for a two-year extension of its existing preliminary permit for the proposed Pinto Dam Hydroelectric Project, issued on October 10, 2012, and expiring on September 30, 2015.¹ The proposed project would be located at the U.S. Bureau of Reclamation's (Reclamation) existing Pinto dam, on Billy Clapp Lake near the City of Moses Lake in Grant County, Washington.

Section 5(b) of the Federal Power Act states that a preliminary permit term can be extended once for not more than two additional years if the Commission finds that the permittee has carried out activities under the permit in good faith and with reasonable diligence.²

In its first three progress reports, CBH indicated that it had conducted two preliminary feasibility studies. Results of the studies indicated that the proposed project would be economically feasible under one of two supplemental feed route operation scenarios under consideration by Reclamation. In its fourth progress report, CBH indicated that it was expecting Reclamation to begin testing flow releases to the supplemental feed route. In its fifth progress report, CBH confirmed that actual flows from Pinto Dam began in February 2015, nearly a year behind the original schedule. In its application for an extension, CBH indicates that the additional time is necessary to allow Reclamation time to establish a consistent annual operation. Once better flow history and forecasts become available, CBH indicates that it will be able to determine the feasibility of the project, and if so, better specify designs for its proposed penstock, turbine, and generator.

¹ See 141 FERC 62,032 (2012).

² See Hydropower Regulatory Efficiency Act of 2013, Pub. L. No. 113-23, § 5, 127 Stat. 495 (codified as amended at 16 U.S.C. 798(b)).

Upon review of the application for extension, as well as five progress reports submitted under the preliminary permit,³ CBH has demonstrated that it has carried out activities under the permit in good faith and with reasonable diligence. Therefore, the request for extension of the preliminary permit term is granted. It is expected that during the remaining term of the permit, as extended, agency consultation will continue, studies will be completed, and a development application will be prepared.

The Director orders:

(A) Ordering paragraph (A) of the preliminary permit for the Pinto Dam Hydroelectric Project No. 14380-001 is amended to read as follows:

(A) A preliminary permit is issued for the Pinto Dam Hydroelectric Project No. 14380 to Columbia Basin Hydropower for a period effective the first day of the month in which this permit is issued, and ending either 60 months from the effective date or on the date that a development application submitted by the permittee has been accepted for filing, whichever occurs first.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days of the date of its issuance, as provided in section 313(a) of the FPA, 16 U.S.C. § 8251 (2012), and section 385.713 of the Commission's regulations, 18 C.F.R. § 385.713 (2014). The filing of a request for rehearing does not operate as a stay of any date specified in this order.

Tim Konnert, Chief
West Branch
Division of Hydropower Licensing

³ Pursuant to Article 4 of the extended preliminary permit, CBH is required to file the three additional progress reports that are due no later than the last day of each six-month period from the effective date of the permit, i.e., by March 31, 2016; August 31, 2016; and March 31, 2017.