



# FEDERAL ENERGY REGULATORY COMMISSION

September 18, 2008  
Duke Energy Carolinas, LLC  
Docket No. P-2602-023

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## FERC Allows Dillsboro Dam Removal To Move Forward

**The Federal Energy Regulatory Commission (FERC) denied a request for stay of all approvals and activities associated with the planned removal of the Dillsboro Dam and Powerhouse on the Tuckasegee River in Jackson County, North Carolina. Today's action allows Duke Energy Carolinas, LLC (Duke), the licensee for the Dillsboro project, to move forward with removal of the dam without delay.**

### **Background and Order**

On July 19, 2007, FERC granted Duke's request to surrender its license and remove the Dillsboro Dam and Powerhouse, consistent with a settlement among Duke, federal and state resource agencies and nongovernmental associations. On August 12, 2008, Jackson County, North Carolina, filed a motion requesting a stay of all approvals and activities associated with the removal of the project, pending the completion of judicial and administrative proceedings.

In considering Jackson County's motion, the Commission said it generally looks at factors such as "whether the moving party will suffer irreparable injury without a stay, whether issuance of a stay would substantially harm other parties, and where the public interest lies." Today's decision noted that removal of the dam and powerhouse will not result in any significant, adverse impacts and that removing the dam is not irreparable.

FERC also said a stay would delay the significant environmental benefits associated with removal of the dam and powerhouse.

Before demolition can occur, Duke must develop a removal schedule, complete studies and remove approximately 70,000 cubic yards of sediment from the reservoir. Duke also must comply with conditions of the 2007 water quality certification and fish and wildlife terms and conditions.