

150 FERC ¶ 62,035
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Puget Sound Energy

Project No. 2150-124

ORDER AMENDING ARTICLE 301 ANNUAL REPORT FILING DATES

(Issued January 16, 2015)

1. On September 15, 2014, Puget Sound Energy (licensee) filed a request to amend the filing date for annual reports under Settlement Agreement (SA) Article 301 of the license for the Baker River Project.¹ The Baker River Project consists of the Lower Baker Development and the Upper Baker Development. The project facilities are located on the Baker River in Skagit and Whatcom counties, Washington, and currently occupy federal lands within the Mt. Baker-Snoqualmie National Forest administered by the U.S. Forest Service.

BACKGROUND

2. Ordering paragraph (F) of the license requires the licensee to comply with the conditions of the SA.² Article 301 of the SA requires the licensee to file annual reports with the Federal Energy Regulatory Commission (Commission) for Recreation Resource articles 302 (aesthetics management); 303 (Baker Lake Resort redevelopment); 304 (Baker Reservoir recreation water safety); 305 (Lower Baker developed recreation); 306 (Upper Baker visitor information services funding); 307 (Upper Baker visitor interpretive services funding); 308 (dispersed recreation management funding); 309 (Bayview Campground rehabilitation funding); 310 (Upper Baker trail and trailhead construction funding); 311 (Lower Baker trail construction); 312 (developed recreation monitoring and funding); 313 (Upper Baker developed recreation maintenance funding); 314 (Upper Baker trail and trailhead maintenance funding); 315 (Lower Baker trail maintenance); 316 (U.S. Forest Service road maintenance funding); 317 (access to Baker Lake); and 318 (law enforcement). The licensee is required to allow the Recreation Resources Group (RRG) 60 days to review and comment on the report(s) prior to filing the report(s) with the Commission.

¹ Order on Offer of Settlement, Issuing New License, and Dismissing Amendment Application as Moot. 125 FERC ¶ 62,064 (issued October 17, 2008).

² The SA was filed with the Commission on November 30, 2004, and was amended by errata filed May 10, 2005, and July 5, 2005. The articles and attachments from the SA are attached to the license as Appendix A.

LICENSEE'S PROPOSAL

3. The licensee states that the reporting dates stipulated under Article 301 for the aforementioned Recreation Resource articles are inconsistent with their monitoring and implementation schedules and therefore, require a more condensed and consistent reporting schedule. In addition, the licensee states that revision of the reporting schedules would streamline the reporting process by providing consistent reporting periods, improve the timeliness of the reports, and eliminate a redundant review process by the RRG. Accordingly, the licensee proposes to amend its current recreation resources reporting schedule under Article 301 and for articles 302-318. The licensee would allow the RRG 60 days to review and comment on the reports prior to filing the respective reports under Article 301 with the Commission. As a result, the licensee would provide its Recreation Resource articles' draft reports for the previous calendar year (January 1 to December 31) to the RRG by May 31, and the final Article 301 report would be filed with the Commission annually by September 30.

RRG CONSULTATION

4. The licensee's filing included documentation of consultation with the RRG and stated that its revised reporting schedule was approved by consensus of the RRG members on August 15, 2014.

CONCLUSION

5. The licensee's proposal to amend the Recreation Resource articles' reporting schedules to September 30 annually and file a final report under SA Article 301 with the Commission annually by September 30 will allow scheduling consistency for multiple reports required by the Recreation Resource articles under the SA and allow the annual reports of each related article to be included in a comprehensive report under Article 301. Therefore, the licensee's amended schedule as proposed should be approved.

The Director orders:

(A) Puget Sound Energy's (licensee) request to amend the annual filing dates for Settlement Agreement (SA) articles 301 through 318, filed September 15, 2014, is approved. The licensee must file its report under SA Article 301 with the Federal Energy Regulatory Commission (Commission) by September 30 annually.

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(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825l (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2014). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

for Thomas J. LoVullo
Chief, Aquatic Resources Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

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