

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

PacifiCorp

Project No. 2381-067

ORDER APPROVING REVISED EXHIBITS A AND G
AND REVISING ANNUAL CHARGES

(Issued July 19, 2016)

1. On May 26, 2016, and supplemented July 5, 2016, PacifiCorp, licensee for the Ashton-St. Anthony Project No. 2381, filed revised Exhibits A and G pursuant to ordering paragraph (H) of the September 13, 2013 Order Amending License, Designating New Docket Number, Approving Transfer of License and Revising Annual Charges.¹ The project is located on the Henry's Fork Snake River in Fremont County, Idaho and occupies federal land administered by the U.S. Bureau of Land Management (BLM).

Background

2. The Commission licensed the project on August 3, 1987 with two developments, Ashton and St. Anthony.² On June 11, 2013, the licensee filed a request to separate the two project developments and transfer the St. Anthony development to a new owner. The Commission granted this request in the September 13, 2013 Order, creating the St. Anthony Project No. 14552 and leaving the Ashton development as the Ashton Project with the existing project number.

3. Ordering paragraph (H) of the September 13, 2013 Order requires the licensee to file revised Exhibits A, F, and G to reflect the administrative changes to the project. The revised Exhibits A and F were approved by an order issued on March 13, 2014.³ However, the Commission granted the licensee extensions of time to file the Exhibit G drawings on November 22, 2013, July 14, 2014, and January 29, 2016. On September 12, 2014, the licensee filed interim Exhibit G drawings, which the Commission approved on March 12, 2015.⁴

¹ *PacifiCorp, St. Anthony Hydro LLC*, 144 FERC ¶ 62,239 (2013).

² *Utah Power & Light Co.*, 40 FERC ¶ 61,139 (1987).

³ *PacifiCorp*, 146 FERC ¶ 62,182 (2014).

⁴ *PacifiCorp*, 150 FERC ¶ 62,145 (2015).

Licensee's Filings

4. In its May 26, 2016 filing, the licensee included a revised Exhibit A. Although the licensee has filed an Exhibit A to comply with the September 13, 2013 Order, the licensee states that it revised the exhibit to clarify elevations and datums, correct the surface area and storage volume of the reservoir, and update project features and reporting of federal lands.

5. The licensee's July 5, 2016 supplemental filing included revised Exhibit G drawings for the project. The licensee states that as a result of the extensions of time, it has been able to research land rights and obtain necessary interest in lands, where needed. The licensee states that it now has all necessary rights to lands within the project boundary.

Review

6. The licensee's May 26, 2016 Exhibit A, indicates the installed capacity of the project is 6,700 kilowatts (kW). However, the authorized installed capacity of the project, according to Commission records, is 6,850 kW. A review of previous Commission orders and inspection reports indicate that units 2 and 3 have capacities of 2,000 kW each, whereas unit 1 has a nameplate capacity of 2,700 kW, but an as-built capacity of 2,850 kW as described in the November 16, 1993 Order Amending License, Approving As-built Exhibits, and Revising Annual Charges.⁵ Therefore, we will accept the Exhibit A but leave the current authorized installed capacity of 6,850 kW unchanged.

7. The Commission's records show that the project occupies 0.39 acres of federal land. However, the revised Exhibit A and Exhibit G drawings indicate the project occupies 15.6 acres of federal land. Our review of the drawings indicate the new value is correct and we will revise license Article 201, which provides for annual charges based on the amount of federal land utilized by the project, to reflect the change.

8. The licensee's May 26, 2016 Exhibit A, adequately describes the project and should be approved. We have also reviewed the licensee's Exhibit G drawings filed on July 5, 2016, and determined that they conform to the Commission's regulations and should be approved. In ordering paragraph (C) we are requiring the licensee to file the exhibit drawings in electronic format. Because these exhibits replace the entire existing set of Exhibit G drawings, we are re-starting the exhibit numbering at G-1.

⁵ *PacifiCorp*, 65 FERC ¶ 62,146 (1993).

The Director orders:

(A) License Article 201 is revised to read as follows:

The licensee shall pay the United States the following annual charges, as determined in accordance with the provisions of the Commission's regulations in effect from time to time:

(a) effective as of the issuance date of this order, to reimburse the United States for the cost of administration of Part I of the Federal Power Act. The authorized installed capacity for that purpose is 6,850 kilowatts.

(b) effective as of the issuance date of this order, for the purpose of recompensing the United States for the use, occupancy, and enjoyment of 15.6 acres of its lands (other than for transmission line right-of-way), a reasonable annual charge as determined by the Commission in accordance with its regulations, in effect from time to time.

(B) PacifiCorp's Exhibit A, filed on May 26, 2016 is approved, superseding the previous Exhibit A.

(C) The following exhibit drawings, filed on July 5, 2016, for the Ashton Project, conform to the Commission's rules and regulations, and are approved and made part of the license, as labeled and numbered below. The superseded drawings are removed from the license.

| EXHIBIT | FERC DRAWING No. | SUPERSEDED FERC DRAWING No. | FERC DRAWING TITLE |
|----------------|-------------------------|---|--|
| G-1 | P-2381-73 | P-2381-34 P-2381-35 P-2381-54 P-2381-57 P-2381-58 P-2381-59 P-2381-60 P-2381-71 P-2381-72 | Project Boundary Map |
| G-2 | P-2381-74 | --- | Project Boundary Description Part 1 of 2 |
| G-3 | P-2381-75 | --- | Project Boundary Description Part 2 of 2 |

(D) Within 45 days of the date of issuance of this order, as directed below, the licensee must file two sets of the approved exhibit drawings, Form FERC-587, and GIS

data in electronic file format on compact disc with the Secretary of the Commission, ATTN: OEP/DHAC.

Digital images of the approved exhibit drawing must be prepared in electronic format. Prior to preparing each digital image, the FERC Project-Drawing Number (i.e., P-2381-73, etc.) must be shown in the margin below the title block of the approved drawing. Each drawing must be a separate electronic file, and the file name must include: FERC Project-Drawing Number, FERC Exhibit, Drawing Title, date of this order, and file extension in the following format [P-2381-73, G-1, Project Boundary Map, MM-DD-YYYY.TIF].

Each Exhibit G drawing that includes the project boundary must contain a minimum of three known reference points (i.e., latitude and longitude coordinates, or state plane coordinates). The points must be arranged in a triangular format for GIS georeferencing the project boundary drawing to the polygon data, and must be based on a standard map coordinate system. The spatial reference for the drawing (i.e., map projection, map datum, and units of measurement) must be identified on the drawing and each reference point must be labeled. In addition, a registered land surveyor must stamp each project boundary drawing. All digital images of the exhibit drawings must meet the following format specification:

IMAGERY - black & white raster file
FILE TYPE – Tagged Image File Format, (TIFF)
CCITT T.6 (CCITT Group 4 fax encoding)
RESOLUTION – 300 dpi desired, (200 dpi min)
DRAWING SIZE FORMAT – 22” x 34” (min), 24” x 36” (max)
FILE SIZE – less than 1 MB desired

A third set and a copy of Form FERC-587 must be filed with the Bureau of Land Management office at the following address:

Bureau of Land Management
Land Services Section (ID-943A)
1387 S. Vinnell Way
Boise, ID 83709-1657

Form FERC-587 is available through the Commission’s website at the following URL: <http://www.ferc.gov/docs-filing/forms/form-587/form-587.pdf>. Although instruction no. 3 requires microfilm copies of the project boundary maps in aperture card format, electronic copies that meet the digital specifications in this ordering paragraph should be substituted. If the FERC-587 cannot be downloaded from the Internet, a hard copy may be obtained by mailing a request to the Secretary of the Commission.

b) Project boundary GIS data must be in a georeferenced electronic file format (such as ArcView shape files, GeoMedia files, MapInfo files, or a similar GIS format). The filing must include both polygon data and all reference points shown on the individual project boundary drawings. An electronic boundary polygon data file(s) is required for each project development. Depending on the electronic file format, the polygon and point data can be included in single files with multiple layers. The georeferenced electronic boundary data file must be positionally accurate to ± 40 feet in order to comply with National Map Accuracy Standards for maps at a 1:24,000 scale. The file name(s) must include: FERC Project Number, data description, date of this license, and file extension in the following format [P-2381, boundary polygon/or point data, MM-DD-YYYY.SHP]. The filing must be accompanied by a separate text file describing the spatial reference for the georeferenced data: map projection used (i.e., UTM, State Plane, Decimal Degrees, etc.), the map datum (i.e., North American 27, North American 83, etc.), and the units of measurement (i.e., feet, meters, miles, etc.). The text file name must include: FERC Project Number, data description, date of this order, and file extension in the following format [P-2381, project boundary metadata, MM-DD-YYYY.TXT].

In addition, for those projects that occupy federal lands, a separate georeferenced polygon file(s) is required that identifies transmission line acreage and non-transmission line acreage affecting federal lands for the purpose of meeting the requirements of 18 CFR §11.2. The file(s) must also identify each federal owner (e.g., BLM, USFS, Corps of Engineers, etc.), land identification (e.g., forest name, Section 24 lands, national park name, etc.), and federal acreage affected by the project boundary. Depending on the georeferenced electronic file format, the polygon, point, and federal lands data can be included in a single file with multiple layers.

(E) 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. § 8251 (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2015). 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.

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

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