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Electronically filed May 24, 2022

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

**Subject: Cutler Hydroelectric Project (FERC No. P-2420-059)  
Response to Bear River Canal Company's Supplemental Reply to  
PacifiCorp's March 22, 2022 "Draft License Application Response to  
Comments Matrix (Cutler Hydroelectric Project No. 2420)"**

Dear Secretary Bose:

PacifiCorp submits this response to Bear River Canal Company's Supplemental Reply to PacifiCorp's March 22, 2022 "Draft License Application Response to Comments Matrix (Cutler Hydroelectric Project No. 2420)", dated May 16, 2022 (Supplemental Reply).

PacifiCorp seeks to briefly reiterate that the issues raised by Bear River Canal Company (BRCC) in its Supplemental Reply reflect a dispute between BRCC and PacifiCorp over the respective obligations of the parties under the terms of their 1912 Contract, as reflected by both PacifiCorp's March 2022 response to comments submittal with the Final License Application, and the letter of the Director and State Engineer of the Utah Division of Water Rights submitted by Bear River Canal Company.<sup>1</sup> This is not the appropriate venue to resolve these issues. Accordingly, PacifiCorp asks that the Federal Energy Regulatory Commission give no consideration to the conditions related to the 1912 Contract that BRCC has requested be included in a renewal of the Cutler Dam Operating License.

This letter has been filed electronically. The security classification of each component in this submittal is shown in the enclosure table. If you have any questions concerning this submittal, please contact Eve Davies, Cutler Relicensing Project Manager at [eve.davies@pacificorp.com](mailto:eve.davies@pacificorp.com) or 801-220-2245.

Sincerely,

*Mark Sturtevant*

Mark A. Sturtevant  
Vice President, Renewable Resources

MAS: ED: TO: BB

<b>Encl:</b>	Letter – Public
<b>eFile:</b>	Kimberly D. Bose, Secretary via eFile at <a href="http://www.ferc.gov">www.ferc.gov</a>

<sup>1</sup> To be clear, PacifiCorp is *not* resistant to the upgrade of measurement devices to improve BRCC operations. PacifiCorp remains committed to fulfilling its contractual obligations to BRCC, however, PacifiCorp's contract with BRCC does not require PacifiCorp to pay for the upgrades sought by BRCC.

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