

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

N.E.W. Hydro, Inc.

Project No. 2523-020

ORDER GRANTING EXTENSION OF TIME¹

(Issued January 3, 2001)

The licensee for the Oconto Falls Hydroelectric Project has requested a four-month extension of time to comply with articles 402, 403, 404, 405, 408, and 409 of its license.² The project is located on the Oconto River in Oconto County, Wisconsin.

Article 402 requires the licensee to file a gaging and compliance plan to document compliance with the run-of-river (R-O-R) operation and reservoir elevation range required by article 401. Article 403 requires the licensee to file a plan to conduct a three-year evaluation to determine whether operation of the project in a R-O-R mode as required by article 401 has been achieved. Article 404 requires the licensee to file a reservoir drawdown plan. Article 405 requires the licensee to file a plan to monitor dissolved oxygen (DO), temperature, and pH of the Oconto Falls Project tailwater. Article 408 requires the licensee to file a recreation plan. Article 409 requires the licensee to implement the provisions of the Programmatic Agreement executed on December 30, 1993, between the Commission, the Advisory Council on Historic Preservation, and the State Historic Preservation Officers of the States of Wisconsin and Michigan.

In support of its request, the licensee states that additional time is needed to comply with the above articles because it has not been able to close on the sale of the project due to problems experienced by the seller, Wisconsin Electric Power Company. The licensee also states that it expects to acquire full possession of the project very soon and wishes to proceed with its license compliance requirements. The licensee states that it has scheduled a meeting with the Wisconsin Department of Natural Resources and the

¹The extension request is applicable to articles 402, 403, 404, 405, 408, and 409.

²81 FERC ¶ 62,238 (1997). By an unpublished order issued June 13, 2000, the Commission extended the deadlines to comply with articles 403 and 404 to November 19, 2000. By an unpublished order issued July 29, 1999, the Commission extended the deadlines to comply with articles 402, 405, 408, and 409 to November 19, 2000.

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3

Project No. 2523-020

-2-

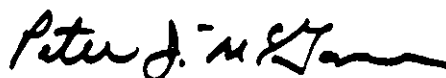
U.S. Fish and Wildlife Service in December 2000 to discuss compliance of the license articles. As a result, the licensee requests a four-month extension to comply with the six articles.

The reasons advanced by the licensee in support of the requested extension of time are reasonable and justifies the extension.

The Director orders:

(A) The deadline to comply with articles 402, 403, 404, 405, 408, and 409 is extended to March 19, 2001.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. §385.713.



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Administration and Compliance