

UNITED STATES OF AMERICA 130 FERC ¶ 62,182
FEDERAL ENERGY REGULATORY COMMISSION

NewPage Wisconsin System Inc.
Kaukauna Utilities

Project No. 10674-015

ORDER APPROVING TRANSFER OF LICENSE

(Issued March 03, 2010)

1. By application filed January 25, 2010, NewPage Wisconsin System Inc. (transferor) and Kaukauna Utilities (transferee) seek Commission approval to transfer the license for the Kimberly Project No. 10674 from transferor to transferee. The project is located on the Fox River in Outagamie County, Wisconsin.
2. Public notice of the application was issued on January 29, 2010, setting March 1, 2010, as the deadline for filing comments, protests, and motions to intervene. No comments, protests, or motions to intervene were filed.
3. Transferee has agreed to accept all of the terms and conditions of the license and to be bound by the license as if it were the original licensee.
4. Transferor has generally complied with the terms and conditions of the license and agrees to pay annual charges that have accrued to the date of the transfer. Transferee will be required to comply with the requirements of the license as though it were the original licensee. Transfer of the license for this project is consistent with the Commission's regulations and is in the public interest.

The Director orders:

(A) Transfer of the license for the Kimberly Project from NewPage Wisconsin System Inc. to Kaukauna Utilities is approved.

(B) NewPage Wisconsin System Inc. shall pay all annual charges that accrue up to the effective date of the transfer.

(C) Approval of the transfer is contingent upon: (1) transfer of title of the properties under license, transfer of all project files including all dam safety related documents, and delivery of all license instruments to Kaukauna Utilities which shall be subject to the terms and conditions of the license as though it were the original licensee; and (2) Kaukauna Utilities acknowledging acceptance of this order and its terms and conditions by signing and returning the attached acceptance sheet. Within 60 days from

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the date of this order, the transferee shall submit certified copies of all instruments of conveyance and the signed acceptance sheet.

(D) 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 CFR §385.713.

William Guey-Lee
Chief, Engineering and Jurisdiction Branch
Division of Hydropower Administration
and Compliance

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IN TESTIMONY of its acknowledgment of acceptance of all of the terms and conditions of this order, _____ this _____ day of _____, 20____, has caused its corporate name to be signed hereto by _____, its President, and its corporate seal to be affixed hereto and attested by _____ its Secretary, pursuant to a resolution of its Board of Directors duly adopted on the _____ day of _____, 20____, a certified copy of the record of which is attached hereto.

By _____

Attest:

Secretary
(Executed in quadruplicate)

Document Content(s)

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