

150 FERC ¶ 62,034
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Puget Sound Energy

Project No. 2150-123

ORDER AMENDING ARTICLE 201 ANNUAL REPORT FILING DATE

(Issued January 16, 2015)

1. On September 15, 2014, Puget Sound Energy (licensee) filed a request to amend the filing date for the annual report required under Settlement Agreement (SA) Article 201 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 201 of the SA requires the licensee to implement its Programmatic Agreement between the Federal Energy Regulatory Commission (Commission) and the Washington State Historic Preservation Office and file an annual report summarizing expenditures made during the preceding year with the Commission by April 30.

LICENSEE'S PROPOSAL

3. The licensee states that revision of the reporting schedule would streamline the reporting process and better conform to other reporting requirements under the project license and associated SA. In addition, the licensee states that amending the annual reporting date would provide more consistent reporting periods, improve the timeliness of the reports, and eliminate redundant review processes by the Resource Groups. Accordingly, the licensee proposes to amend its current reporting schedule under SA

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.

Article 201 to June 30 annually. The licensee would allow the Cultural Resources Advisory Group (CRAG) 30 days to review and comment on the report prior to filing the respective report with the Commission. As a result, the licensee would provide its draft report for the previous calendar year (January 1 to December 31) to the CRAG by March 31, and the final Article 201 report would be filed with the Commission annually by June 30.

CRAG CONSULTATION

4. The licensee's filing included documentation of consultation with the CRAG and stated that its revised reporting schedule was approved by consensus of the CRAG members on July 14, 2014.

CONCLUSION

5. The licensee's proposal to amend its annual reporting schedule under SA Article 201 from April 30 to June 30 will allow scheduling consistency for filing numerous other reports required under the project license and associated SA and allow a more streamlined review process by the Resource Groups. Therefore, the licensee's amended schedule as proposed should be approved.

The Director orders:

(A) Puget Sound Energy's (licensee) request to amend its annual report filing date under Settlement Agreement (SA) Article 201, filed September 15, 2014, is approved. The licensee must file its report under SA Article 201 with the Federal Energy Regulatory Commission (Commission) by June 30 annually.

(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. § 8251 (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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