# UNITED STATES OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of	)	
Douglas County, Washington	)	Project No. 2149-152
Final License Application	)	Wells Hydroelectric Project
	)	J

# MOTION TO INTERVENE OF PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON

On May 27, 2010, the Public Utility District No. 1 of Douglas County, Washington ("Douglas PUD"), filed with the Federal Energy Regulatory Commission ("Commission" or "FERC") a Final License Application for relicensing the Wells Hydropower Project No. 2149 ("Wells Project"). Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure¹ and the Commission staff's August 10, 2010, Notice of Application and August 19, 2010, Errata Notice directing that motions to intervene and comments be filed no later than 60 days from the issuance of the notice, Public Utility District No. 1 of Chelan County, Washington ("Chelan PUD") hereby requests that the Commission grant this motion to intervene in the above-referenced proceeding.

# I. MOTION TO INTERVENE

Chelan PUD moves to intervene in this proceeding in accordance with Rule 214 of the Commission's Rules of Practice and Procedure. Chelan PUD submits that its participation in this proceeding is in the public interest in conformity with 18 CFR 385.214(b)(2)(iii).

Chelan PUD is a municipal corporation organized under the laws of the State of Washington and is authorized under Washington state law (RCW Title 54) to engage in the

<sup>&</sup>lt;sup>1</sup> 18 C.F.R. § 385.214.

business of generating, transmitting and distributing power. Chelan PUD is the licensee for the Rocky Reach Project and the Rock Island Project, both of which are located on the Columbia River. The licensed installed capacities of those hydroelectric projects are 865.73 MW and 409.60 MW, respectively. Chelan PUD is also the licensee for the Lake Chelan Hydroelectric Project No. 637, which is located on Lake Chelan and discharges into the Chelan River at its confluence with the Columbia River.

The Wells Project is located directly upstream of the Rocky Reach Project. Any determination made as a result of these proceedings may have a significant impact on Chelan PUD's operations, including power generation, or complying with the Rocky Reach and Rock Island license requirements, including those related to protection of fish species under the ESA through the Anadromous Fish Agreement and Habitat Conservation Plans<sup>2</sup> ("HCPs"). <sup>3</sup>

Chelan PUD has a direct and immediate interest in the outcome of this proceeding. The PUD's interests will not be adequately represented by any other party. Therefore, Chelan PUD respectfully requests that the Commission grant its motion to intervene in this proceeding.

### II. COMMUNICATIONS

Any communications and service regarding this proceeding should be directed to:

Michelle Smith Licensing & Compliance Manager Public Utility District No. 1 of Chelan County, Washington 327 N Wenatchee Avenue Wenatchee, WA 98801 Telephone: (509) 661-4180

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Carol A. Wardell General Counsel Public Utility District No. 1 of Chelan County, Washington 327 N Wenatchee Avenue Wenatchee, WA 98801 Telephone: (509) 661-4465

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<sup>&</sup>lt;sup>2</sup> See Applications for Approval of Anadromous Fish Agreement and Habitat Conservation Plan for Rocky Reach and Rock Island Projects (filed November 24, 2003) at P. 1, ¶ B.

<sup>&</sup>lt;sup>3</sup> Public Util. Dist. No. 1 of Chelan County, Wash. et al., 107 FERC ¶ 61,280 (2004); Public Utility District No. 1 of Chelan County, Wash., 107 FERC ¶ 61, 282 (Rock Island); Public Utility District No. 1 of Chelan County, Wash., 107 FERC ¶ 61,281 (Rocky Reach).

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## III. CONCLUSION

Therefore, for reasons set forth herein, Chelan PUD respectfully requests that it be allowed to intervene in these proceedings and requests that it be accorded all rights as a full party to such proceeding.

Dated this 35 day of August, 2010.

Respectfully submitted,

Carol A. Wardell, Esq.

General Counsel

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# **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document has been served upon each person designated on the official service list compiled by the Commission in the above captioned proceeding.

Dated this 25th day of August, 2010.

Respectfully submitted,

Carol A. Wardell, Esq.

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