

**KIMBERLY D. BOSE, SECRETARY  
FEDERAL ENERGY REGULATORY COMMISSION  
MAIL CODE: DHAC, PJ-12  
888 FIRST STREET, NE  
WASHINGTON, DC 20426**

**FILED  
SECRETARY OF THE  
COMMISSION  
2010 OCT 18 P 2:07  
FEDERAL ENERGY  
REGULATORY COMMISSION**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION  
PUBLIC UTILITY DISTRICT NO. 1  
OF DOUGLAS COUNTY  
PROJECT NO. P-2149-152

**PAT KELLEHER'S COMMENTS AND MOTION TO INTERVENE AND  
OFFER OF SETTLEMENT P-2149-152**

PURSUANT TO RULES 212 AND 214 OF THE FEDERAL ENERGY  
REGULATORY COMMISSION'S RULES OF PRACTICE AND PROCEDURE,  
18CFR385.212, 214, PAT KELLEHER HERBY MOVES TO INTERVENE IN  
THE ABOVE CAPTIONED PROCEEDING. THE GROUNDS FOR THE  
MOTION ARE:

I.  
SERVICE OF PROCESS AND OTHER COMMUNICATIONS:  
PAT KELLEHER  
6530 WILSON CREEK ROAD  
ELLENSBURG, WA 98926

II.  
PAT KELLEHER IS A MEMBER OF THE PUBLIC, AND CONSUMER  
LIVING ADJACENT TO DOUGLAS PUD MARKET AREA. THE PROJECT  
IS LICENSED TO BE IN THE PUBLIC INTEREST.

III.  
UNDER THE FEDERAL POWER ACT (FPA), THE COMMISSION MAY  
ISSUE A NEW LICENSE FOR AN EXISTING HYDROELECTRIC PROJECT  
ONLY IF TO DO SO WOULD BE IN THE PUBLIC INTEREST. 16USC803  
(A). IN MAKING ITS PUBLIC INTEREST INQUIRY, THE COMMISSION IS  
REQUIRED TO PROVIDE "EQUAL CONSIDERATION" TO A RANGE OF  
PUBLIC PURPOSES, INCLUDING THE PROTECTION OF FISH,  
WILDLIFE., RECREATION, AND ENVIRONMENTAL QUALITY. THE FPA  
MAKES ABUNDANTLY CLEAR THAT RELICENSING IS NOT A  
CONTINUATION OF THE STATUS QUO, BUT A RECONSIDERATION OF  
THE PAST COMMITMENT OF THE RIVER RESOURCE BASED ON

PRESENT DAY VALUES AND "THEN EXISTING LAWS AND REGULATIONS," 16USC808(A).

IV.

THE FINAL EIS SHOULD FULLY CONSIDER THE FUTURE EFFECTS OF THE PROJECT ON ADJACENT RESIDENTIAL ELECTRICAL RATES.

IN THE 1950'S (PRE-DAM) RESIDENTIAL RATES WERE SIMILAR IN ADJACENT COUNTIES OF KITTITAS, GRANT, CHELAN AND DOUGLAS. IN 2008 THE MONTHLY RESIDENTIAL BILL FOR 1500KW OF POWER WAS:

\$84.50	KITTITAS PUD
\$70.15	CITY OF ELLENSBURG (KITTITAS COUNTY)
\$46.15	GRANT COUNTY PUD
\$30.10	CHELAN COUNTY PUD
\$26.39	DOUGLAS COUNTY PUD

DURING THE FIRST LICENSE, POWER COSTS FOR KITTITAS RESIDENTIAL CONSUMERS HAVE TRIPLED THAT OF DOUGLAS RESIDENTIAL CONSUMERS.

THERE IS NO OTHER STATE IN THE UNION WHERE THIS HAS BEEN ALLOWED TO HAPPEN. THE CAUSE IS SOLELY ATTRIBUTABLE TO COMMISSION ACTION.

DAMS CAN BE LICENSED FOR UP TO FIFTY YEARS, THIS INEQUITY AMONG ADJACENT COUNTIES MUST BE ADDRESSED. THE PUBLIC INTEREST OF FUTURE GENERATIONS MUST BE PROTECTED.

THE OFFER OF SETTLEMENT IS CONSOLIDATION OF DOUGLAS COUNTY PUD AND KITTITAS COUNTY PUD AS ALLOWED UNDER THE REVISED CODE OF WASHINGTON.

V.

FOR THE ABOVE REASONS, PAT KELLEHER HAS A SIGNIFICANT INTEREST WHICH MAY BE DIRECTLY AFFECTED BY THE OUTCOME OF THIS PROCEEDING, AND THIS INTEREST IS NOT ADEQUATELY REPRESENTED BY EXISTING PARTIES. PAT KELLEHER'S PARTICIPATION IN THIS PROCEEDING IS IN THE PUBLIC INTEREST.

VI.

THEREFORE, IN ORDER THAT THIS PROCEEDING BE FULLY DEVELOPED IN ACCORDANCE WITH THE APPLICABLE LAW, AND THAT THE COMMISSION HAVE BEFORE IT ALL THE MATERIAL FACTS RELATING TO THIS PROJECT, THE COMMISSION SHOULD GRANT THE PAT KELLEHER INTERVENER STATUS.

AS A PARTY IN THE ABOVE ENTITLED PROCEEDINGS, PAT KELLEHER REQUESTS THE RIGHT TO HAVE NOTICE OF AND APPEAR AT ANY AND ALL HEARINGS OR PROCEEDINGS, TO PRODUCE EVIDENCE AND CROSS-EXAMINE WITNESSES, TO BE HEARD THROUGH WRITTEN AND ORAL ARGUMENT, TO BE SERVED WITH COPIES OF ALL PLEADINGS, APPLICATIONS, AND NOTICES AND FOR ANY OTHER SUCH PARTICIPATION AND RELIEF AS MAY BE APPROPRIATE.

DATED THIS 12 DAY OF OCT 2010  
RESPECTFULLY SUBMITTED



PAT KELLEHER  
6530 WILSON CREEK ROAD  
ELLENSBURG, WA 98926

PROOF OF SERVICE

I CERTIFY THAT I HAVE SERVED A COPY OF THIS DOCUMENT TO THE APPLICANT BY FIRST CLASS MAIL.  
DATED THIS 12 DAY OF OCT ,2010



PAT KELLEHER