

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Project No. 2195–148]****Portland General Electric Company; Notice of Application Accepted for Filing, Soliciting Comments, Protests, and Motions To Intervene**

Take notice that the following hydroelectric application has been filed with the Federal Energy Regulatory Commission and is available for public inspection:

- a. *Type of Application*: Non-project use of project lands and water.
- b. *Project No.*: 2195–148.
- c. *Date Filed*: November 7, 2016 and supplemented on March 22, 2017.
- d. *Applicant*: Portland General Electric Company (licensee).
- e. *Name of Project*: Clackamas River Hydroelectric Project.
- f. *Location*: River Mill Development (Estacada Lake) of the Clackamas River Hydroelectric Project located in Clackamas County, Oregon.
- g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a–825r.
- h. *Applicant Contact*: Thomas Nilan, Manager, Portland General Electric Company, 121 SW. Salmon Street, 3 WTC–BR05, Portland, Oregon 97204; phone (503) 464–8738.
- i. *FERC Contact*: Robert Ballantine at 202–502–6289, [robert.ballantine@ferc.gov](mailto:robert.ballantine@ferc.gov).
- j. Deadline for filing comments, protests, or motions to intervene is 30 days from the issuance of this notice by the Commission. The Commission strongly encourages electronic filing. Please file comments, protests, or motions to intervene using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–2195–148.
- k. *Description of Request*: Portland General Electric Company requests Commission approval to grant the Oregon Department of Fish and Wildlife (Oregon DFW) an easement to use

project lands and water within the River Mill development of the Clackamas River Hydroelectric Project, for the construction and operation of a gravity fed intake system. The intake would provide water to the Oregon DFW owned Clackamas Hatchery located outside of the project boundary on Dog Creek, a tributary of the Clackamas River. The intake would provide a continuous gravity fed 50 cubic feet per second (approximately 32 million gallons per day) from Estacada Lake, to the fish hatchery. The intake system would be located within the project boundary approximately 250 feet upstream of the River Mill Dam on the south side of the forebay and consist of a dual-cylindrical intake screen, track system for deploying the intake screens into the reservoir, control building, and conveyance pipes. Project water routed to the hatchery would be returned to the Clackamas River via Dog Creek, downstream of the project.

1. *Locations of the Application*: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling 202–502–8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 866–208–3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call 202–502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all comments or protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified date for the particular application.

o. *Filing and Service of Responsive Documents*: Any filing must (1) bear in all capital letters the title "COMMENT"; "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or motioning to intervene; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, protests, or motions to intervene must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: March 28, 2017.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2017–06468 Filed 3–31–17; 8:45 am]

BILLING CODE 6717–01–P

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Docket No. CD17–10–000]****Hurricane Creek Irrigating Ditch Company; Notice of Preliminary Determination of a Qualifying Conduit Hydropower Facility and Soliciting Comments and Motions To Intervene**

On March 21, 2017, the Hurricane Creek Irrigating Ditch Company, filed a notice of intent to construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act (FPA), as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA). The proposed Hurricane Hydro Station #2 & #4 Project would have a combined installed capacity of 104 kilowatts (kW), and would be located along two sections of

an existing irrigation pipeline. The project would be located near the Town of Joseph in Wallowa County, Oregon.

**Applicant Contact:** Kyle Petrocine, 401 NE 1st St., Suite A, Enterprise, OR 97828 Phone No. (541) 398-0018.

**FERC Contact:** Robert Bell, Phone No. (202) 502-6062, email: [robert.bell@ferc.gov](mailto:robert.bell@ferc.gov).

**Qualifying Conduit Hydropower Facility Description:** The proposed project would consist of the following two developments:

#### Hydro Station #2 Development

A new powerhouse containing one turbine/generating unit with an installed capacity of 61 kW in the existing 30-inch diameter irrigation pipeline; and (2) appurtenant facilities. The project will also include a bypass section through a pressure reducing valve. The proposed project would have an estimated annual generating capacity of 115,846 kilowatt-hours.

#### Hydro Station #4 Development

A new powerhouse containing one turbine/generating unit with an

installed capacity of 43 kW in the existing 20-inch diameter pipeline; and (2) appurtenant facilities. The project will also include a bypass section through a pressure reducing valve. The proposed project would have an estimated annual generating capacity of 98,500 kilowatt-hours.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all of the criteria shown in the table below.

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY

Statutory provision	Description	Satisfies (Y/N)
FPA 30(a)(3)(A), as amended by HREA ...	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i), as amended by HREA	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii), as amended by HREA	The facility has an installed capacity that does not exceed 5 megawatts .....	Y
FPA 30(a)(3)(C)(iii), as amended by HREA.	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

**Preliminary Determination:** The proposed addition of the hydroelectric project along the existing irrigation pipeline will not alter its primary purpose. Therefore, based upon the above criteria, Commission staff preliminarily determines that the proposal satisfies the requirements for a qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

**Comments and Motions to Intervene:** Deadline for filing comments contesting whether the facility meets the qualifying criteria is 45 days from the issuance date of this notice.

Deadline for filing motions to intervene is 30 days from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

**Filing and Service of Responsive Documents:** All filings must (1) bear in all capital letters the “COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY” or “MOTION TO INTERVENE,” as applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name,

address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission’s regulations.<sup>1</sup> All comments contesting Commission staff’s preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene and comments using the Commission’s eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

<sup>1</sup> 18 CFR 385.2001–2005 (2016).

**Locations of Notice of Intent:** Copies of the notice of intent can be obtained directly from the applicant or such copies can be viewed and reproduced at the Commission in its Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the web at <http://www.ferc.gov/docs-filing/elibrary.asp> using the “eLibrary” link. Enter the docket number (i.e., CD17-10) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659.

Dated: March 27, 2017.

**Kimberly D. Bose,**  
Secretary.

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