

of the specified walk-in doors, its proposed PTO value of 93.5% would more accurately reflect the specified basic models' door motor energy consumption.

On June 19, 2018, DOE published a notice that announced its receipt of the petition for waiver and granted Jamison an interim waiver. 83 FR 28422 ("Notice of Petition for Waiver"). In the Notice of Petition for Waiver, DOE presented Jamison's claim that the results from testing the specified basic models according to Appendix A are unrealistic and unrepresentative of actual energy usage because of the assigned PTO value. DOE also summarized Jamison's requested alternate test procedure, which would require testing the specified basic models according to Appendix A, except that the PTO value for door motors would be modified from 25% to 93.5% for freight and passage doors.

As explained in the Notice of Petition for Waiver, DOE analyzed the technical performance data provided by Jamison, and noted that Jamison's petition sought to apply the same PTO value to its specified basic models that are 24 to 288 inches (i.e. 2 to 24 feet) wide and have motors driven at a minimum speed of 12 in/s. Even when assuming the most energy consumptive scenario would apply, DOE concluded that the proposed 93.5% PTO for the specified basic models was appropriate and agreed with Jamison that for the door motors used in those basic models, the proposed PTO was more representative of actual energy use than the currently required PTO value of 25%.

In the Notice of Petition for Waiver, DOE also solicited comments from interested parties on all aspects of the petition and the specified alternate test procedure. In response, DOE received one comment from Hussmann Corporation ("Hussmann").⁵ Hussmann supported Jamison's request and methodology for an alternate test procedure to account for an electrical door opening device used with a demand-based controller. It asserted that the analysis arriving at a 93.5% PTO value is sound for the product and use specified. Hussmann added that "door products used in other applications," such as control devices that remove moisture in areas of high humidity, may also warrant variations in the PTO.

DOE notes that a Decision and Order applies only to those basic models specified in the Order. The PTO values specified by the waiver methodology are appropriate for the basic models that are the subject of the petition. Jamison requested PTO values based on the characteristics of the basic models specified in its petition. Jamison's petition for waiver did not require DOE to consider or evaluate PTO values for applications other than the door motors in the specified basic models. Accordingly, DOE is treating Hussmann's comments on this point to apply more generally than to the specific waiver request at issue. DOE will consider this issue in greater detail if it should decide to amend the walk-in door test procedure in the future.

For the reasons explained here and the Notice of Petition for Waiver, DOE

understands that absent a waiver, the basic models identified by Jamison in its petition cannot be tested and rated for energy consumption on a basis representative of their true energy consumption characteristics. DOE has reviewed the recommended procedure suggested by Jamison and concludes that it will allow for the accurate measurement of the energy use of the equipment, while alleviating the testing problems associated with Jamison's implementation of DOE's applicable walk-in door test procedure for the specified basic models. Thus, DOE is requiring that Jamison test and rate the specified walk-in doors basic models according to the alternate test procedure specified in this Decision and Order, which is identical to the procedure provided in the interim waiver.

This Decision and Order applies only to the basic models listed and does not extend to any other basic models. DOE evaluates and grants waivers for only those basic models specifically set out in the petition, not future models that may be manufactured by the petitioner.

Jamison may request that the scope of this waiver be extended to include additional basic models that employ the same technology as those listed in this waiver. 10 CFR 431.401(g). Jamison may also submit another petition for waiver from the test procedure for additional basic models that employ a different technology and meet the criteria for test procedure waivers. 10 CFR 431.401(a)(1).

DOE notes that it may modify or rescind the waiver at any time upon DOE's determination that the factual basis underlying the petition for waiver is incorrect, or upon a determination that the results from the alternate test procedure are unrepresentative of the basic models' true energy consumption characteristics. 10 CFR 431.401(k)(1). Likewise, Jamison may request that DOE rescind or modify the waiver if the company discovers an error in the information provided to DOE as part of its petition, determines that the waiver is no longer needed, or for other appropriate reasons. 10 CFR 431.401(k)(2). Further, the waiver is conditioned upon the validity of the door motor performance characteristics, statements, representations, and documentation provided by Jamison.

III. Order

After careful consideration of all the material that was submitted by Jamison in this matter and the comment received, it is ORDERED that:

(1) Jamison must, as of the date of publication of this Order in the *Federal Register*, test and rate the walk-in doors basic models listed in Appendix I of its July 26, 2017 petition as provided in Docket Number EERE-2017-BT-WAV-0040⁶ with the alternate test procedure as set forth in paragraph (2).

(2) The alternate test procedure for the Jamison basic models referenced in paragraph (1) of this Order is the test

procedure for walk-in doors prescribed by DOE at 10 CFR part 431, subpart R, appendix A, except that the PTO value specified in section 4.5.2 "Direct Energy Consumption of Electrical Components of Non-Display Doors" shall be 93.5% for door motors. All other requirements of 10 CFR part 431, subpart R, appendix A and DOE's regulations remain applicable.

(3) *Representations.* Jamison may not make representations about the energy use of the basic models referenced in paragraph (1) of this Order for compliance, marketing, or other purposes unless the basic model has been tested in accordance with the provisions set forth above and such representations fairly disclose the results of such testing in accordance with 10 CFR part 431, subpart R, appendix A and 10 CFR part 429, subpart B, as specified in this Order.

(4) This waiver shall remain in effect according to the provisions of 10 CFR 431.401.

(5) This waiver is issued on the condition that the statements, representations, and documentation provided by Jamison are valid. If Jamison makes any modifications to the controls or configurations of these basic models, the waiver will no longer be valid and Jamison will either be required to use the current Federal test method or submit a new application for a test procedure waiver. DOE may revoke or modify this waiver at any time if it determines the factual basis underlying the petition for waiver is incorrect, or the results from the alternate test procedure are unrepresentative of the basic models' true energy consumption characteristics. 10 CFR 431.401(k)(1). Likewise, Jamison may request that DOE rescind or modify the waiver if Jamison discovers an error in the information provided to DOE as part of its petition, determines that the waiver is no longer needed, or for other appropriate reasons. 10 CFR 431.401(k)(2).

(6) Granting of this waiver does not release Jamison from the certification requirements set forth at 10 CFR part 429.

Signed in Washington, DC, on October 15, 2018.

Kathleen B. Hogan, Ph.D.

Deputy Assistant Secretary for Energy Efficiency Energy Efficiency and Renewable Energy

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1744-041]

PacifiCorp; Notice of Application and Applicant-Prepared EA Accepted for Filing, Soliciting Motions to Intervene and Protests, and Soliciting Comments, and Final Recommendations, Terms and Conditions, and Prescriptions

Take notice that the following hydroelectric application and applicant-

⁵ The Hussmann Corporation comment can be found in the docket at: <https://www.regulations.gov/document?D=EERE-2017-BT-WAV-0040>.

⁶ Available at: <https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&D=EERE-2017-BT-WAV-0040>.

prepared environmental assessment has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Major Constructed Project.

b. *Project No.:* 1744–041.

c. *Date filed:* May 30, 2018.

d. *Applicant:* PacifiCorp.

e. *Name of Project:* Weber Hydroelectric Project.

f. *Location:* On the Weber River, in Weber, Davis, and Morgan Counties, Utah. The project occupies 14.94 acres of United States lands administered by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Eve Davies, PacifiCorp—Renewable Resources, 1407 West North Temple, Suite 210, Salt Lake City, UT 84116; (801) 220–2245; e-mail eve.davies@pacifiCorp.com.

i. *FERC Contact:* Evan Williams at (202) 502–8462; or e-mail at evan.williams@ferc.gov.

j. *Deadline for filing motions to intervene and protests, comments, and final terms and conditions, recommendations, and prescriptions:* 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

The Commission strongly encourages electronic filing. Please file motions to intervene and protests, comments, and final terms and conditions, recommendations, and prescriptions 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, (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–1744–041.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, 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.

k. This application has been accepted for filing.

l. *The existing Weber Project consists of:* (1) A 114-foot-long, 16.7-foot-high concrete diversion dam that includes a low-level outlet, a 35-foot-wide intake structure that contains a 22-foot-wide, 31-foot-long, 19-foot-tall concrete intake box, and a 79-foot-long section containing two approximately 30-foot-long, 10-foot-high radial gates; (2) a 3-foot by 18-foot non-operative fish passage structure that is used to pass minimum flows through a calibrated slide gate opening at the dam; (3) an 8.4-acre reservoir having a total storage of approximately 42 acre-feet at elevation 4,798 feet above mean sea level; (4) a 9,110-foot-long, 5.5-foot to 6.3-foot-diameter steel penstock partially encased in concrete, and buried for most of its length; (5) a powerhouse with one 3,850-kilowatt generating unit; (6) a 22-foot-wide, 30-foot-long, 29-foot-high concrete tailrace chamber, integrated into the powerhouse foundation, which returns flows directly into the Weber River on the south side of the powerhouse; (7) a 77-foot-long, 46-kilovolt transmission line; and (8) appurtenant facilities. The project is estimated to generate an average of 16,932 megawatt-hours annually. PacifiCorp proposes to build a new fish passage structure at the edge of the existing diversion dam in an area that currently has graded, unvegetated soil.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website 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. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov. A copy is also available for inspection and reproduction at the address in item h above.

n. 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, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments 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 comment date for the particular application.

All filings must (1) bear in all capital letters the title "PROTEST", "MOTION TO INTERVENE", "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (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 protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions 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. 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.

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, contact FERC Online Support.

o. *A license applicant must file no later than 60 days following the date of issuance of this notice:* (1) A copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

p. *Procedural schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Commission issues EA—July 2019

Comments on EA—August 2019

Dated: October 16, 2018.

Kimberly D. Bose,
Secretary.

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