



1414 West Hamilton Avenue
PO Box 8
Eau Claire, WI 54702-008

November 17, 2020

VIA Electronic Filing

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Subject: Notice of Intent, Preliminary Application Document, Request to Use Traditional Licensing Process, and Request for Designation of Non-Federal Representative Gile Flowage Storage Reservoir Project (FERC Docket No. UL20-1-000)

Dear Secretary Bose:

In accordance with 18 CFR § 16.6 and Section 15 of the Federal Power Act, Northern States Power Company – Wisconsin (NSPW or Licensee), d/b/a Xcel Energy, is hereby electronically filing a Notice of Intent to file a License Application (NOI) and a Pre-Application Document (PAD) to obtain an original minor license for the Gile Flowage Storage Reservoir Project (FERC Docket No. UL20-1-000).

On August 19, 2020, under section 23(b)(1) of the Federal Power Act, the Commission found the Gile Flowage Storage Reservoir Project (Project) is required to be licensed. The Commission ordered NSPW to provide a schedule for submitting a license application by August 19, 2023, as well as a schedule for filing an emergency action plan (EAP), no later than 90 days after August 19, 2020 in accordance with Section 12.20 of the Commission's regulations.

The schedule for licensing commences with the filing of this NOI. The next scheduled milestone under the licensing process will be dictated by the Commission's response to NSPW's request to use the Traditional Licensing Process (TLP) contained herein. The final milestone in the schedule is submittal of a final license application no later than August 19, 2023.

NSPW commits to filing an EAP with the Commission no later than January 20, 2021.

In accordance with the Commission's regulations, NSPW hereby declares its unequivocal intent to license the Project by submitting the enclosed NOI and PAD. In accordance with 18 CFR § 5.5(c), the Licensee is providing a copy of the NOI and PAD in electronic format to appropriate federal, state¹, and interstate resource agencies, as well as Indian Tribes, local governments, and members of the public likely to be interested in the licensing process (collectively stakeholders). A distribution list of all known potential stakeholders receiving copies of the NOI and PAD is attached. NSPW will also provide two courtesy paper copies of the NOI and PAD via United States Postal Service to Commission Staff in the Office of Energy Projects and the Office of General Counsel-Energy Projects as outlined in the Commission's filing guidelines.

¹ As a matter of procedure, since a Service or Mailing List does not yet exist for the Project, the agencies that have jurisdiction only in the State of Michigan and any other non-governmental organizations (NGOs) with interest only in the State of Michigan have been removed from the distribution list. The Project is located entirely within the State of Wisconsin and representation from State of Wisconsin Agencies and NGOs are included in the distribution list.

Under 18 CFR § 5.3, the Licensee requests approval from the Commission to use the TLP. The TLP should provide cost and timesaving for both the Licensee and stakeholders due to the limited areal extent of the project boundary, the limited number of anticipated stakeholders, and the lack of controversial issues brought forward in the questionnaire responses. Experience also indicates the TLP is less costly than the Integrated Licensing Process (ILP).

The use of the TLP as part of the scoping for the Saxon Falls and Superior Falls PAD development² was supported by the Friends of the Gile Flowage, Iron County, and River Alliance of Wisconsin. The Town of Kimball indicated it did not intend to participate in relicensing and did not support the use of the TLP. Follow-up communications to determine why they were opposed to use of the TLP were not returned. The National Park Service was the only other stakeholder to express their opposition to the use of the TLP and instead recommended use of the ILP because it allows for more collaboration. Since the majority of the relicensing participants support the use of the TLP and the Licensee is committed to open communication throughout the licensing process, the Licensee anticipates the Commission will be able to complete the timely issuance of a license for the Project. NSPW is not aware of any complex resource issues that need to be addressed and anticipates little, if any, controversy in the licensing process.

Under 18 CFR § 5.3 (d)(1), comments concerning the Licensee's request to use the TLP must be filed with the Commission within 30 days of the filing date of this request and must include either the FERC Docket No. UL20-1-000 or the name and address of the Licensee as included in the PAD.

To assist in open communication with potential stakeholders, where feasible, the Licensee plans to use electronic communication as the main source of communication. If electronic communication is not feasible, hard copy documents will be utilized as a secondary form of communication throughout the process. Documents filed with the Commission and provided to stakeholders will also be posted on a website at <http://hydrorelicensing.com/>.

Under 18 CFR § 5.3 (d)(2), the Licensee shall file no later than the date of this filing a notice in a daily or weekly newspaper of general circulation in Iron County, Wisconsin. The notice shall include the NOI, PAD, and request to use the TLP. The notice shall also summarize the documents filed, justification for requesting to use the TLP, Licensee's name, address, telephone number, and indicate that comments are due within 30 days of the public notice filing date. Comments filed in response to the public notice must include the project number and/or Licensee's name and address, and state that respondents must submit comments to the Secretary of the Commission in accordance with filing procedures outlined in the Commission's website at <http://FERC.gov>.

The public notice shall also state that comments on the request to use the TLP should address as appropriate the likelihood of timely license issuance, complexity of resource issues, level of anticipated controversy, relative cost of the TLP compared to the integrated licensing process, the amount of available information and potential for significant disputes over studies, and other factors believed to be pertinent.

A public scoping meeting and site visit will be held between 30 and 60 days of the Commission's decision on the use of the TLP. Written comments on the PAD must be filed with the Commission and a copy sent to NSPW within 60 days of the public scoping meeting.

² The Michigan Department of Environment, Great Lakes, and Energy supported the use of the TLP during the scoping of information for the Saxon Falls and Superior Falls Hydroelectric Projects. The Michigan Department of Natural Resources supported use of the TLP during the same scoping on the condition that scoping meetings are appropriately timed, and that the Licensee is committed to open communication during the process. Scoping independent of the Saxon Falls and Superior Falls relicensing was not repeated independently for the Gile effort because adequate information was provided for the Gile effort during the Saxon Falls and Superior Falls scoping.

Under 18 CFR § 5.5(e), the Licensee formally requests to be designated as the Commission's non-federal representative in licensing of the Gile Flowage Storage Reservoir Project (FERC Docket No. UL20-1-000) for the purposes of consultation under Section 7 of the Endangered Species Act and the joint regulations under 50 CFR Part 402, and National Oceanic and Atmospheric Administration under Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR § 600.920, and Section 106 of the National Historic Preservation Act and the implementing regulations under 36 CFR Part 800.

Thank you for your time and consideration in this matter. If you have any questions, please contact Matthew Miller at 715-737-1353 or matthew.j.miller@xcelenergy.com.

Respectfully Submitted,

**Scott
Crotty**

Digitally signed by
Scott Crotty
Date: 2020.11.13
11:11:14 -06'00'

For: James Zyduck
Director, Hydro Plants

cc: Distribution List