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December 30, 2019

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

Subject: Preliminary Application Document, Notice of Intent, Request to Use Traditional Licensing Process, and Request for Designation as Non-Federal Representative
Saxon Falls Hydroelectric Project (FERC Project No. 2610)
Superior Falls Hydroelectric Project (FERC Project No. 2587)

Dear Secretary Bose:

In accordance with 18 CFR § 16.6 and Section 15 of the Federal Power Act, Northern States Power Company – Wisconsin, d/b/a Xcel Energy (“NSPW”), licensee of the Saxon Falls (FERC Project No. 2610) and Superior Falls (FERC Project No. 2587) Hydroelectric Projects (Projects), is hereby electronically filing with the Commission a Notice of Intent to File a License Application (NOI) and a Pre-Application Document (PAD) for the relicensing of said Projects. The current licenses for the Projects expire on December 31, 2024.

In accordance with the Commission’s regulations, NSPW hereby declares its unequivocal intent to begin the relicensing process for both the Saxon Falls and Superior Falls Hydroelectric Projects by filing the enclosed Notices of Intent (NOI) to file applications for a subsequent license for the Saxon Falls Hydroelectric Project and a new license for the Superior Falls Hydroelectric Project. Along with the NOIs, a Pre-Application Document (PAD)¹ that includes information for both Projects is also enclosed.

In accordance with 18 CFR § 5.5(c), NSPW is providing a copy of the NOI and PAD in electronic format to the appropriate federal, state, and interstate resource agencies as well as Indian Tribes, local governments, and members of the public likely to be interested in the relicensing proceedings. A distribution list of all known potential stakeholders receiving copies of the NOI and PAD is attached. NSPW will also provide two paper courtesy copies of the NOI and PAD 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.

Under 18 CFR § 5.3, NSPW requests approval from the Commission for use of the Traditional Licensing Process (TLP). The use of the TLP is not expected to negatively impact the timely issuance of the licenses and is expected to provide cost and time savings to NSPW and the relicensing participants. The majority of the stakeholders that have committed to participate in the relicensing process do not have concerns with the use of the TLP as evidenced by their responses to the questionnaires. The use of the TLP was supported by the Township of Ironwood, Michigan Department of Environment, Great Lakes, and Energy, the Friends of the Gile Flowage, Gogebic County Forestry and Parks, Iron County, River Alliance of Wisconsin,

¹ Since Northern States Power Company is NSPW for both the Saxon Falls and Superior Falls Hydroelectric Projects, one PAD including known information for both is being submitted.

and Stockbridge-Munsee Tribe. The Leech Lake Tribe and the EPA did not indicate support for, or opposition to, use of the TLP. The Michigan Department of Natural Resources supported use of the TLP on the condition that scoping meetings are appropriately timed and that NSPW is committed to open communication during the process. The Town of Kimball indicated it did not intend to participate in the relicensing and did not support the use of the TLP. Follow-up correspondence to determine why they were opposed to use of the TLP was not returned. The National Park Service was the only agency that expressly indicated opposition to the use of the TLP. They would prefer to use the Integrated Licensing Process as it allows for more collaboration.

NSPW is willing to meet the Michigan DNR's above-referenced conditions, and because there does not appear to be any complex resource issues that need to be addressed, minimal controversy is anticipated during the relicensing process. Furthermore, the amount of available information for the projects has resulted in a robust PAD and, as a result, the potential for significant disputes over studies is also expected to be low. Therefore, since the majority of the stakeholders who have committed to participate in the relicensing process support the use of the TLP, NSPW anticipates the Commission will be able to issue new licenses for the Projects in a timely fashion.

NSPW also believes the TLP is the most efficient process for the relicensing of the Projects because of the limited geographic scope of the project boundaries, the limited number of anticipated stakeholders, and the limited number of controversial issues brought forward in the questionnaire responses. Experience also indicates the TLP is less costly than the use of the Integrated Licensing Process (ILP). Under 18 CFR § 5.3 (d)(1), comments concerning NSPW's request to use the TLP must be filed with the Commission within 30 days of the filing date of the request and must include either the project number (FERC Project Nos. 2610 or 2587) or the name and address of the licensee as depicted in the PAD.

Pursuant to 18 CFR § 5.3 (d)(2), NSPW will file, no later than the date of this filing, a notice in a daily or weekly newspaper of general circulation in Iron County, Wisconsin and Gogebic County, Michigan. It will include the filing date of the request to the TLP, and the NOI and PAD, summarize the documents filed and the basis of the request to use the TLP, include the licensee's name, address and telephone number, and indicate that comments are due within 30 days of the filing date, include the project number and/or the 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 notice will 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 process, the amount of available information and potential for significant disputes over studies, and other factors believed to be pertinent.

To assist in open communication with the stakeholders, NSPW plans to use electronic correspondence as the primary source of communication. Hard copy correspondence will be utilized as the secondary means of communication where electronic correspondence is not feasible. Documents filed with the Commission and provided to the stakeholders will also be available on NSPW's website at <http://hydrorelicensing.com/> and FERC's eLibrary website.

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.

Pursuant to 18 CFR § 5.5(e), NSPW also hereby formally requests to be designated as the Commission's non-federal representative in the relicensing of the Saxon Falls Hydroelectric

Project (FERC Project No. 2610) and Superior Falls Hydroelectric Project (FERC Project No. 2587) for the purposes of consultation under Section 7 of the Endangered Species Act and the joint regulations under 50 CFR Part 402, the 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,

A handwritten signature in black ink, appearing to read 'J. Zyduck', with a long horizontal flourish extending to the right.

James Zyduck
Director, Hydro Plants

cc: Distribution List