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April 10, 2018

VIA E-FILING

Honorable Kimberly D. Bose,
Secretary
Federal Energy Regulatory Commission
Dockets Room, Room 1A
888 First Street, N.E.
Washington, DC 20426

RE: **Hydroelectric Project No. 10808 (Edenville) Response to Boyce Hydro Power, LLC Letter Dated March 15, 2018**

Dear Ms. Bose,

Boyce Hydro Power, LLC filed a letter¹ dated March 15, 2018 about recreation-related issues at its Edenville Project. Consumers Energy responds to one potentially inaccurate factual statement in this letter.

For context, see the two aerial photos in **Exhibit A**. The first shows the approximate location of a Consumers Energy parcel southeast of the Edenville Project's powerhouse. This powerhouse is partially shown at the top of the first image, near the center. Consumers Energy's parcel contains a gravel access road from Lively Road to a Consumers Energy-owned substation. This access road is unavailable for public use; its entrance has a locked gate. The second photo shows a closer image of Consumers Energy's substation and the Edenville Project's powerhouse structure.

Boyce's March 15 letter states on page three that "[a]ccess to the Tittabawassee River tailrace below the east side of the Edenville Dam via Lively Road is currently available to the public, and BHP would be pleased to provide photographic evidence of this fact." This statement is unclear; it may refer to Consumers Energy's access road or another road. That said, Consumers Energy's access road appears to be the only road off Lively Road east of the tailrace.

If Boyce's statement does refer to Consumers Energy's access road, then Boyce's statement that the public can "currently" access the tailrace "via Lively Road" is inaccurate. As Consumers Energy's access road has a locked gate, the public cannot use it. Boyce also has no right to grant public access over Consumers Energy's substation road. Hence, Consumers Energy requests that the Commission not approve any recreation plan on the false assumption Boyce has secured rights to use Consumers Energy's access road.

¹ Accession No. 20180319-5039.

If you have any questions, please contact me at (517) 788-1661.

Sincerely,

James D. W. Roush
Attorney III
Consumers Energy Company

Exhibit A

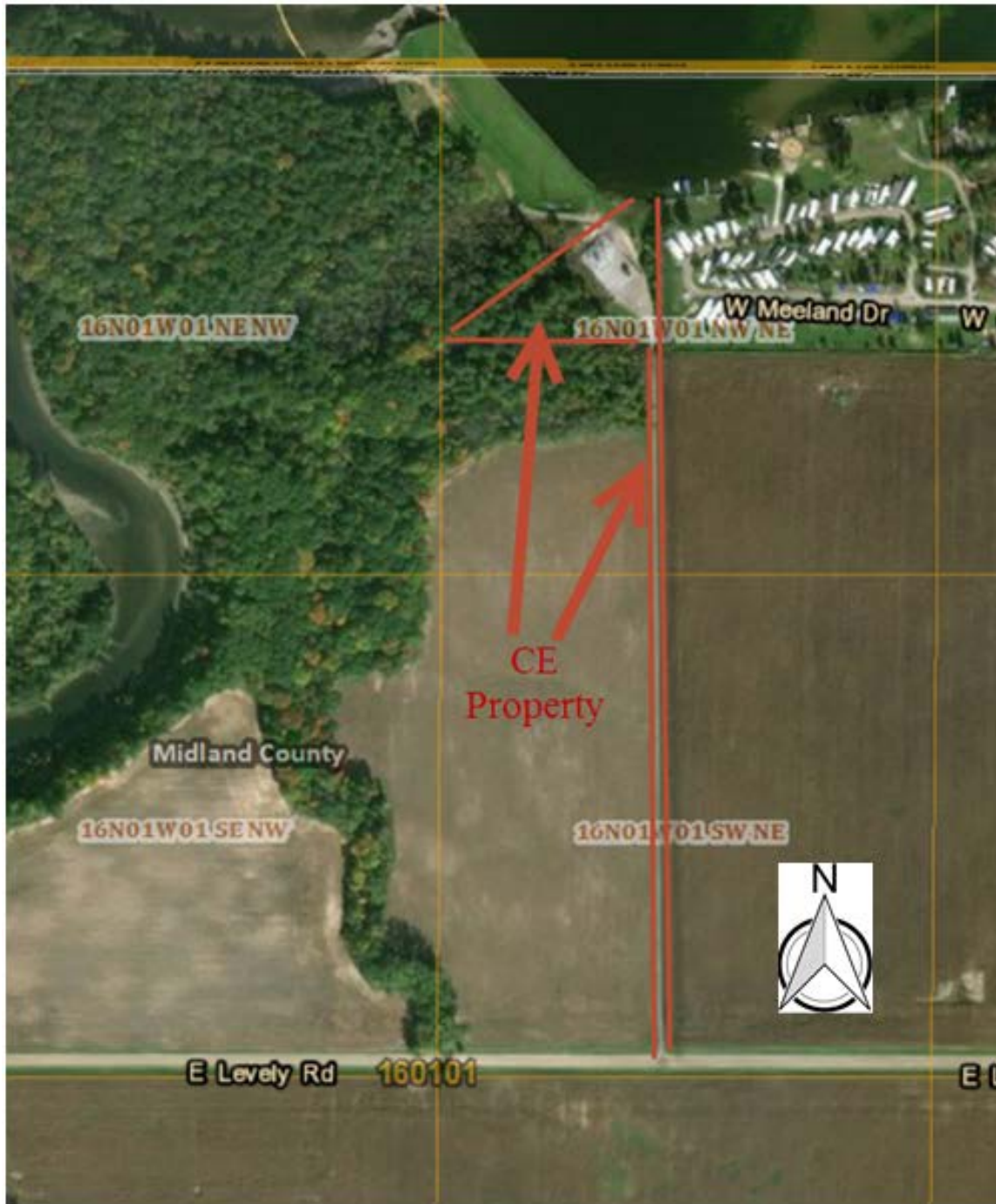
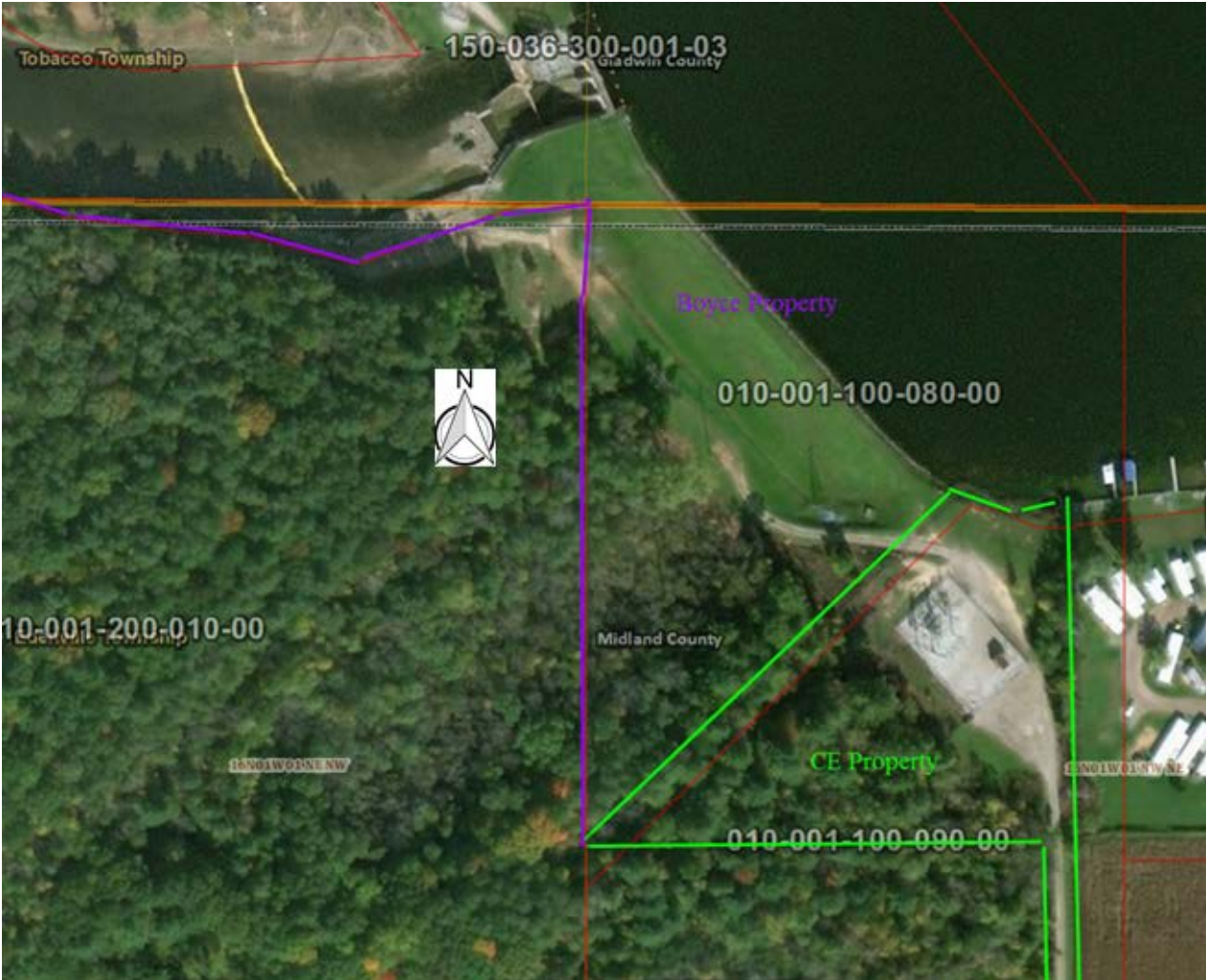


Exhibit A



Document Content(s)

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