

**162 FERC ¶61,115
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

BOYCE HYDRO POWER, LLC

Project No. 10808-000

**MOTION TO INTERVENE OF THE
SANFORD LAKE PRESERVATION ASSOCIATION**

On February 15, 2018, the Commission found that Boyce Hydro Power, LLC (Boyce Hydro) is in violation of numerous provisions of its license for the Edenville Hydroelectric Project No. 10808 (Edenville Project), the Federal Power Act (FPA), and multiple Commission regulations and orders, including a Compliance Order issued pursuant to section 31(a) of the FPA. As such, the Commission proposed to revoke Boyce Hydro's license for the Edenville Project under section 31(b).

Pursuant to Rules 212 and 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.212 and 385.214, the Sanford Lake Preservation Association (SLPA) files this Motion to Intervene in this proceeding.

I. COMMUNICATIONS AND SERVICE

All correspondence, pleadings, and orders with respect to this proceeding should be sent to SLPA's counsel:

Kenneth von Schaumburg, Esq.
Clark Hill PLC
1001 Pennsylvania Ave NW
Suite 1300 South
Washington, DC 20004
Phone: 202.772.0904
Fax: 202.572.8683
Email: kvonschaumburg@clarkhill.com

II. INTEREST OF PETITIONER

The SLPA is Michigan-based 501(c)(3) tax-exempt organization comprised of the homeowners surrounding Sanford Lake. The group's primary concern is the protection and preservation of Sanford Lake. To that end, the SLPA endeavors to:

- Raise awareness of lake issues;
- Develop partnerships with lake neighbors;
- Launch fundraising events and apply for grants;
- Serve as a platform to voice members' concerns to local government;
- Gain a historical perspective for long-time residents;
- Collect data on a broad range of lake concerns (*e.g.*, water quality, development, lake-use concerns, etc.);
- Host educational programs to disseminate information;
- Develop a long-range lake management plan; and
- Act as a support group for members.

Boyce Hydro owns and operates a dam on Sanford Lake. The SLPA owns the land below Sanford Lake and licenses flowage rights to Boyce Hydro. Now that Boyce Hydro's license is in jeopardy, the SLPA and its members have a significant and unique interest that will be directly affected by the outcome of this proceeding which cannot be protected by any other party.

The SLPA is particularly concerned with the potential variance in Sanford Lake's water levels if the Commission revokes Boyce Hydro's license. Even a minor decrease in the water level could devastate property values and wreak havoc on the local economy. Moreover, even if the license is revoked, Boyce Hydro will still own and operate the dam. Therefore, the SLPA has a vital interest in the adequacy of any subsequent mandates imposed on Boyce Hydro by the Commission.

III. CONCLUSION

WHEREFORE, the SLPA respectfully requests that the Commission grant this Motion to Intervene and grant the SLPA with full rights to participate in all further proceedings regarding this matter.

Respectfully submitted,

/s/ Kenneth von Schaumburg

Kenneth von Schaumburg

/s/Bryan A. Brandenburg

CLARK HILL PLC

Attorneys for the Sanford Lake Preservation
Association

1001 Pennsylvania Avenue NW

Suite 1300 South

Washington, DC 20004

(202) 772-0904

kvonschaumburg@clarkhill.com

bbrandenburg@clarkhill.com

Dated: March 16, 2018

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 16th day of March, 2018.

/s/ Kenneth von Schaumburg
Kenneth von Schaumburg

/s/Bryan A. Brandenburg
CLARK HILL PLC
Attorneys for the Sanford Lake Preservation
Association
1001 Pennsylvania Avenue NW
Suite 1300 South
Washington, DC 20004
(202) 772-0904
kvonschaumburg@clarkhill.com
bbrandenburg@clarkhill.com

Document Content(s)

Sanford Lake Preservation Assoc. Motion to Intervene.PDF.....1-4