

ORIGINAL

AFFIDAVIT OF PUBLICATION

Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protest

In The Matter of Boyce Hydro Power, LLC

P-10808-000

FILED
SECRETARY OF THE
COMMISSION
2018 AUG 21 P 2:40
FEDERAL ENERGY
REGULATORY COMMISSION

**STATE OF MICHIGAN ss
COUNTY OF GLADWIN**

Katherine S. Doane being duly sworn, says that she is the Publisher of The Gladwin County Record, Inc., a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published on the following dates, to wit:

August 15, 2018

Katherine S. Doane

Katherine S. Doane, Publisher

Subscribed and sworn before me this
15th day of August 2018

DANN MARIE LAIDLAW
Notary Public, State of Michigan
County of Gladwin
My Commission Expires on 12/15/2019
Acting in the County of Gladwin

Dann Marie Laidlaw



**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Boyce Hydro Power, LLC
Project Nos. 10808-044, 10810-050,
10808-061, 2785-095

**NOTICE OF APPLICATION ACCEPTED
FOR FILING AND SOLICITING
COMMENTS, MOTIONS TO
INTERVENE, AND PROTESTS**

(August 7, 2018)

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. Application Type: Temporary Variance Application

b. Project Nos: 10808-044
10810-050
10808-061
2785-095

c. Date Filed: July 26, 2018, as clarified on
August 7, 2018

d. Applicant: Boyce Hydro Power, LLC

e. Name of Project: Secord, Smallwood, Edenville,
and Sanford Hydroelectric Projects

f. Location: These projects are located on
the Tittabawassee and Tobacco Rivers in Gladwin
and Midland counties, Michigan.

g. Filed Pursuant to: Federal Power Act, 16 USC
791a - 825r

h. Applicant Contact: Mr. Lee Mueller, Boyce Hydro
Power, LLC, 10120 W. Flamingo Road, Suite 4192,
Las Vegas, NV 89147, (702) 367-7302.

i. FERC Contact: Dr. Jennifer Ambler, (202) 502-
8586, jennifer.ambler@ferc.gov

j. Deadline for filing comments, motions to intervene,
and protests: September 6, 2018.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests 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, D.C. 20426. The first page of any filing should include docket numbers P-10808-044, P-10810-050, P-10808-061, and/or P-2785-095.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears 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

k. Description of Request: The licensee requests a temporary variance of its' level requirements contained in articles 406, 403, 404, and 411 of its licenses for the Secord, Smallwood, Edenville, and Sanford Projects, respectively. To facilitate focused spillway assessments and gate inspections, the licensee proposes to lower each reservoir about 4 feet to the following elevations: 746.8 ft for Secord, 700.4 ft for Smallwood, 671.8 ft for Edenville, and 626.8 ft for Sanford (all reservoir elevations are at National Geodetic Vertical Datum) beginning September 20, 2018. The licensee would draw down the reservoirs at a rate of 8 inches per day for the inspections to occur on/about October 1, 2018. Potentially beginning on October 2, 2018, the licensee would begin refilling the reservoirs at a rate not to exceed 9 inches per day to return the reservoirs to their normal water surface elevations of 750.8 ft for Secord, 704.8 ft for Smallwood, 675.8 ft for Edenville, and 630.8 ft for Sanford.

l. Locations of the Application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 502-6371. This filing may also 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. You may also register online at <http://www.ferc.gov/docx-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov, or TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene: 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, .214, respectively. 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.

o. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (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 commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor 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 385.2010.

Kimberly D. Bose,
Secretary.

Document Content(s)

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