

CLARK HILL

Christopher N. Skey
T: 312-517-7515
F: 312-517-7585
Email: cskey@clarkhill.com

Clark Hill PLC
130 E. Randolph Street
Suite 3900
Chicago, IL 60601
T 312.985.5900
F 312.985.5999

clarkhill.com

September 20, 2018

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

Re: Docket No. P-10808-058
Letter of Mark C. Bone, Chair, Midland County Board of Commissioners

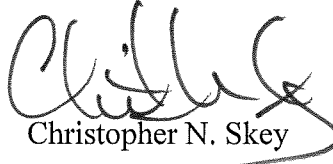
Dear Ms. Bose:

Attached for filing in Docket No. P-10808-058 is a letter from Mark C. Bone, Chair of the Midland County (Michigan) Board of Commissioners.

A copy of this filing is being served via email to each person on the Service List in this Docket. Thank you.

Sincerely yours,

CLARK HILL PLC



Christopher N. Skey

cc: Service List Docket No. P-10808-058



MIDLAND COUNTY BOARD OF COMMISSIONERS

MIDLAND COUNTY SERVICES BUILDING • 220 W. ELLSWORTH ST. • MIDLAND, MICHIGAN 48640-5194
PH. (989) 832-6775 • FAX (989) 837-6587

September 18, 2018

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

Re: Motion to Stay Order of License Revocation, Edenville Project, No. 10808

Dear Ms. Bose:

On September 10, 2018, the Federal Energy Regulatory Commission ("Commission") issued an order revoking the license for the Edenville Project, No. 10808 ("Edenville Project"), which is a part of the Wixom Lake, Sanford Lake, Secord Lake, and Smallwood Lake impoundments created by the respective hydroelectric dams.

Public and residential use of the lakes is dependent on the coordinated operation of the dams to regulate the various water levels within the lakes. Maintaining a predictable water level on all four lakes affects public access to recreation areas and over 6000 lakeside homeowners. Continued viability of the lakes is vital to the cultural environment, economies and recreational opportunities within the counties of Midland and Gladwin. This Order requires the dam owner (Boyce Hydro Power, LLC) to permanently disable all power generating equipment by September 25, 2018. In response, the Lake Associations and Gladwin County have jointly filed an Emergency Motion to stay the Order to allow the local communities and their resident's reasonable time to create a long-term, sustainable solution to the operational, financial, and public safety issues identified at the Edenville Project, and the entire four lake system. As Chair of the County Board of Commissioners, I request favorable consideration of the request for a stay of the Order.

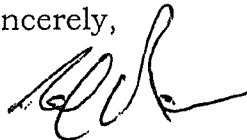
The County of Midland in which is located Sanford Lake, has supported, by Resolution of its Board of Commissioners approved on July 17, 2018 (attached), a plan of action that acknowledges the "...the continued operation of the dams and water levels are of paramount importance to the environment, recreation, property values of lake residents, and the public and economic health of Gladwin and Midland Counties." I believe the combined, concerted efforts of the Lake Associations and the Counties represent an opportunity for a long-term, viable solution to address issues at the Edenville Project, which also serves the best interests of the surrounding communities. These efforts for

an orderly solution have commenced, but take time, and yet are, without question in the best interest of the public.

I recognize and understand the breadth, scope and importance of the operational issues identified in the action taken by FERC, however the effect of the order will substantially and negatively disrupt the orderly and sincere efforts made by the Lake Associations and the Counties to address the community issues identified in the attached Resolution. I urge you to allow the communities and their residents an opportunity to preserve the great value functioning dams and the reservoirs provide by staying the revocation order for the Edenville Project.

Thank you for your consideration in this matter. Should you have any questions, please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Bone', with a stylized flourish extending to the right.

Mark C. Bone, Chair

Document Content(s)

Letter from Chairman Bone.PDF.....1-3