

24 September 2018

Kevin J. McIntyre
Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: Edenville Hydroelectric Project No. 10808-058

Chairman McIntyre:

The Saginaw Chippewa Indian Tribe of Michigan has been engaged with Boyce Hydro Power, LLC for nearly 9 months regarding the potential acquisition of its generation assets. The Tribe has been learning about Boyce's operations and understanding the dynamics of hydroelectric generation for purposes of investing or purchasing a majority controlling interest in Boyce Hydro Power, LLC. Ownership of electrical generation assets is a fundamental tenant of self-determination inherent in the concept of Tribal sovereign rights. The Tribe supports the 180 day Emergency Motion to Stay Order filed by the Sanford Lake Preservation Association, the Wixom Lake Association as well as Gladwin and Midland Counties.

While the Commission's rationale for revocation is strongly stated in the revocation order, the timing is problematic for the Tribe. The Tribe appreciates the long history of Boyce's compliance issues with FERC's orders and directives. The Tribe's support of a Stay Order in no way condones any safety or regulatory violation. However, the Tribe has been engaged in a due diligence process to determine if ownership of the hydroelectric generation facilities makes economic, cultural, and political sense.

Revocation of the operating license of Edenville, by the Commission will force the Tribe to abandon its due diligence review process outright prior to reaching any conclusions regarding the investment potential of the project. It is the Tribe's opinion that the expense and time required applying for a new operator license rather than transferring an existing license destroys the economic viability of the transaction.

The Saginaw Chippewa Indian Tribe of Michigan has a deep cultural interest in this project and protection of the environment while maintaining the safety of these facilities. The waters that supply the hydroelectric turbines have been inhabited by and provided resources to the Tribe for many generations. The Tribe's past, present, and future is indelibly interconnected with this watershed. The Tribe believes that retaining the impoundments without generating electricity is not in the community's best interest from either a safety or economic vantage point.

The Tribe is working through the due diligence process in order to evaluate its investment hypothesis. The primary tenants of the hypothesis are investing additional funds to upgrade the facilities, negotiating a longer power purchase agreement within the PURPA framework, and funding the necessary repairs to meet the FERC operating requirements. Provided that the hypothesis is validated, the facility can be operated for decades and provide clean energy and stable, high quality jobs to the surrounding community. This potential transaction is very complex and requires a significant amount of research, analysis, and contract negotiations between all involved parties.

To that end, the Saginaw Chippewa Indian Tribe of Michigan requests the Commission approve the Stay Order for 180 days as requested by the aforementioned entities. This additional time will allow the Tribe to complete its due diligence and make a final determination regarding a buyout or investment in the Edenville project and the other 3 generation dams owned by Boyce Hydro Power, LLC. While the Tribe intends to continue its due diligence as indicated if the Commission grants a Stay Order, the decision of whether the Tribe makes an investment in this matter will be determined solely by the Tribe based upon the Tribe's analysis and due diligence. A Stay Order will provide the Tribe with much needed additional time to make its assessment of this potential opportunity. We feel that the extra time will allow the Tribe to make a decision without any material negative impact to the community or the structures.

Sincerely,



Chief Ronald F. Ekdahl
Saginaw Chippewa Indian Tribe of Michigan