OFFICE OF ENERGY PROJECTS

Project No. 137-207—California
Mokelumne River Hydroelectric Project
Pacific Gas and Electric Company

August 26, 2020

VIA Electric Mail

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Subject: Complaint regarding public access to Lake Tebeaud via a road within the project boundary

To the Parties Addressed:

On July 28, 2020, the Foothill Conservancy filed a complaint under Rule 206 against Pacific Gas and Electric, licensee for the Mokelumne River Hydroelectric Project No. 137, for its failure to maintain public access to Lake Tebeaud via Amador Lane, a road within the project boundary.

As is Commission practice with respect to allegations of non-compliance by hydropower licensees, the above complaint will be processed by the Commission’s Office of Energy Projects, Division of Hydropower Administration and Compliance, which is charged with ensuring compliance. As such, we are treating the subject filing as a non-compliance allegation of the project license.

1 Order Approving Settlement Agreement and Issuing New License (97 FERC ¶ 61,031) issued October 11, 2001.

2 See Pacific Gas and Electric Co., 115 FERC ¶ 61,324, at 62,155 (2006). (Chairman Kelliher concurring) (“It would be inconsistent, and a waste of administrative effort, for us to treat differently those allegations of license non-compliance that are
The provisions of Rule 26 will not apply to this proceeding. We will review the matter, request additional information from you or the licensee if necessary, evaluate the situation relative to the license requirements, and provide a written response concerning our findings regarding the allegations. If you have any questions, please contact Jon Cofrancesco at (202) 502-8951 or by e-mail at jon.cofrancesco@ferc.gov.

Sincerely,

Carlisa Linton
Director
Division of Hydropower Administration
and Compliance

cc: VIA Electronic Mail

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styled “formal complaint” and those that are not. It is only those complaints that raise substantial legal or policy issues that warrant immediate Commission consideration as formal complaints, rather than being handled at the initial state by our compliance staff. Therefore... as a general matter, allegations regarding compliance with hydropower license should be handled in the first instance by our compliance staff.”
