



November 27, 2013

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

Re: River Falls Hydroelectric Project, FERC Project No. P-10489  
Request to Use the Traditional Licensing Process

Dear Secretary Bose:

Pursuant to Section 5.3 of the Commission's regulations, 18 CFR 5.3, the City of River Falls ("City") hereby requests use of the Traditional Licensing Process ("TLP") for the re-licensing of the River Falls Hydroelectric Project. Concurrent with this filing, River Falls is filing its Pre-Application Document and is re-filing its Notification of Intent for the Project.

We address the following considerations to justify the request to use the TLP.

**Likelihood of Timely License Issuance [18 CFR §5.3(c)(1)(ii)(A)]**

The River Falls Hydroelectric Project is a small-scale project that has been in operation for over 100 years. The City of River Falls does not anticipate proposing an expansion of project operations through this licensing process, and does not anticipate any significant resource issues arising. The Integrated Licensing Process (ILP) is an intensive and front-loaded process that is more appropriate for larger and more controversial projects than ours. Due to its built-in opportunities for collaboration and consultation, and the limited resources of the City and its partners, the TLP is a more appropriate avenue for timely license issuance.

**Complexity of the Resource Issues [18 CFR §5.3(c)(1)(ii)(B)]**

As provided in the PAD, the resource issues arising through the River Falls Hydroelectric Project are minimal. While more up-to-date studies will need to be conducted, the City of River Falls is committed to adequately addressing the resulting issues. Because the City has a strong track record of engaging interested stakeholders, the TLP would better allow the City to work with them to resolve the issues than the ILP.

### **Level of Anticipated Controversy [18 CFR §5.3(c)(1)(ii)(C)]**

The City of River Falls anticipates the level of controversy to be low, due in part to the Project's continuous success at generating reliable energy. The continuation of the Project is not anticipated to result in any new resource impacts, and the relicensing of the Project using the TLP will involve active consultation with the resource agencies and stakeholders.

### **Relative Cost of the Traditional Process Compared to the Integrated Process [18 CFR §5.3(c)(1)(ii)(D)]**

The City of River Falls anticipates that using the TLP for relicensing will be more cost effective than the ILP. Utilizing the TLP will be a more efficient use of time by City staff considering the limited nature of the Project. The TLP does allow sufficient opportunity for input by resource agencies and other stakeholders, but requires less time commitment by being mindful of their own limited resources.

### **The Amount of Available Information and Potential for Significant Disputes of Studies [18 CFR §5.3(c)(1)(ii)(E)]**

Throughout the term of the original 30 year license there has been considerable study of the impact of the dams on the local resources. There should be limited dispute on the next steps on study development. The City plans to collaboratively work with the resource agencies and stakeholders, and is committed to conducting the necessary studies in order to effectively evaluate and address the issues. Accordingly, the City anticipates no significant disputes over studies.

### **Other Pertinent Factors [18 CFR §5.3(c)(1)(ii)(F)]**

The City of River Falls has responsibly and continuously operated and maintained the River Falls Hydroelectric Project for over 100 years. The City purchased the original Junction Falls Dam in 1900 and built the Powell Falls Dam in 1966. After numerous upgrades, the hydroelectric facility continues to produce reliable energy that serves the residents and utility customers of the River Falls Municipal Utilities. While the City is committed to working with resource agencies and stakeholders, the staff and budget available for relicensing are limited.

For the foregoing reasons, the City of River Falls respectfully requests that the Commission grant this request and authorize the City to use the TLP for the re-licensing of the Project.

As required by 18 CFR §5.3(d)(1), the City is concurrently providing copies of this request to all affected resources agencies, Indian tribes, and potentially interested parties. As required by 18 CFR §5.3(d)(2), the City is concurrently publishing notice of this request and the filing of the NOI and PAD in the River Falls Journal, the official newspaper of the City of River Falls.

By this letter, the City of River Falls is notifying the resource agencies, Indian tribes, and potentially interested parties that comments on this application must be provided to the Commission and the City of River Falls no later than 30 days following the filing date of this

request. All comments should reference Project No. P-10489 – River Falls Hydroelectric Project, and they should address, as appropriate to the circumstances of the request, the following topics:

- Likelihood of timely license issuance;
- Complexity of the resource issues;
- Level of anticipated controversy;
- Relative cost of the traditional process compared to the integrated process;
- The amount of available information and potential for significant disputes over studies; and
- Other factors believed by the commenter to be pertinent.

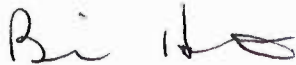
Comments should be submitted to the Secretary of the Commission in accordance with the filing procedures posted on the Commission's web site at <http://www.ferc.gov>.

Copies of the comments should be sent to:

Brian Hatch - RFMU  
City of River Falls  
222 Lewis Street  
River Falls, WI 54022

Thank you for consideration of this request. Please do not hesitate to contact the undersigned at (715) 222-0541 or via email at [bhatch@rfcity.org](mailto:bhatch@rfcity.org) with any questions.

Respectfully submitted,



Brian Hatch  
River Falls Municipal Utilities  
City of River Falls