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October 30, 2009

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

**Re: Pacific Gas and Electric Company, FERC Project No. 606 (Kilarc-Cow Creek)**

Dear Ms. Bose:

A series of public scoping meetings was held during the week of October 18-22, 2009, in connection with the above-captioned project, pursuant to a request by Pacific Gas and Electric Company ("PG&E") to surrender its license and decommission its Project No. 606, as stated in the Commission's Notice of September 15, 2009. At the time of the meetings, FERC Staff advised the parties attending the meetings that a transcript of certain of those meetings would be made available to the public. On October 28, 2009, counsel for Tetrick Ranch inquired of Staff whether the transcript was now available, as Staff had invited further public comments arising as a result of the scoping meetings by Friday, October 30. It appears that the transcript is not yet available on FERC's e-Library. Accordingly, Tetrick Ranch, the Abbott Ditch Users (ADUs) and Shasta County wish to advise the Commission that they reserve their right to file additional comments one week after the transcript becomes available on FERC's e-Library.

Inasmuch as the purpose of the scoping meetings is to produce a suitable NEPA document, providing the opportunity to file meaningful additional comments would be in the public interest and should assist the Commission Staff in its analysis of the issues it must address as to the environmental impacts resulting from the proposed license surrender and Decommissioning Plan and reasonable alternatives and mitigation measures to the proposed course of action.<sup>1</sup> While Tetrick Ranch, the Abbott Ditch Users ("ADUs"), and Shasta County appreciate Staff's recent visit to the Project site and adherence to its process, we are concerned about the limited efforts made by the Staff to explore the very substantial adverse impacts to the community and individual members in the community, that will result from PG&E's proposed decommissioning plan and license surrender. We cannot help but note that the representatives of

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<sup>1</sup> See 18 C.F.R. §380.9 and 40 C.F.R. Ch. V, Part 1500, esp. §1500.1(b).

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the resource agencies who appeared at the public meetings were unprepared to address the community's concerns at all and indeed, were reluctant to explain the terms of their settlement or the extent or source of the information supporting their agencies' position. There was marked disinterest in the proposed alternatives to PG&E's decommissioning at the meetings, by either the FERC Staff and the resource agencies' representatives, yet the Commission is obligated to consider reasonable alternatives to PG&E's proposed actions. These alternatives include maintaining the project facilities in their current configuration after PG&E's license surrender, so that they can continue to produce renewable energy and benefits to the community and environment. The filing of a settlement between PG&E and only a few of the affected parties should not exclude other parties' viewpoints and equal consideration of reasonable alternatives that would avoid the disastrous impacts clearly noted in the record to date.

We would suggest or recommend at this time that if the NEPA process is to work properly, the public should be given access to such information as is provided to the FERC Staff, from time to time, as to this proposed Project action, whether from the agencies or from the Applicant, and allowed a reasonable time to respond. In addition, the FERC Staff itself should obtain from these agencies all the information they need to fully evaluate the consequences of PG&E's current proposal.

The ADUs and Shasta County have authorized their concurrence in the comments being filed today by Tetrick Ranch, and all of us thank you.

Sincerely,

/s/ Frances E. Francis  
Frances E. Francis  
William S. Huang  
Attorneys for Tetrick Ranch

Cc: All Parties on FERC Official Service List  
CarLisa Linton-Peters, FERC

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