

20000906-3018(1439028)

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NOTICE OF TRANSFER OF LICENSES,
SUBSTITUTION OF RELICENSE APPLICANT,
AND SOLICITING COMMENTS,
MOTIONS TO INTERVENE, AND PROTESTS

(September 6, 2000)

Take notice that the following application has been filed with the Commission and is available for public inspection:

- a. Application Types: (1) Transfer of Licenses and (2) Request for Substitution of Applicant for New License (in Project No. 2064-004).
- b. Project Nos: 2064-005, 2684-005, and 2064-004
- c. Date Filed: August 16, 2000
- d. Applicants: North Central Power Co., Inc. (transferor) and Flambeau Hydro, LLC (transferee)
- e. Name and Location of Project: The Winter and Arpin Dam Hydroelectric Projects are on the East Fork of the Chippewa River in Sawyer County, Wisconsin. The Winter Project occupies federal lands within the Chequamegon-Nicolet National Forest, but no tribal lands. The Arpin Dam Project does not occupy federal or tribal lands.
- f. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a) - 825(r)
- g. Applicant Contacts: Mr. Mark F. Dahlberg, North Central Power Co., Inc., P.O. Box 167, Grantsburg, WI 54840, (715) 463-5371 and Mr. Donald H. Clarke, Wilkinson Barker Knauer, LLP, 2300 N Street NW, No. 700, Washington, DC 20037, (202) 783-4141.
- h. FERC Contact: Any questions on this notice should be addressed to James Hunter at (202) 219-2839.
- i. Deadline for filing comments and or motions: November 3, 2000.
All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington DC 20426.

Please include the noted project numbers on any comments or motions filed.

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Project No. 2064-005, et al.

- 2 -

j. Description of Proposal: The applicants state that the transfer will assure the continued operation of these renewable energy projects and will effect the desired change of ownership of the generating facilities consistent with the restructuring plans of these members of the electric industry.

The transfer application was filed within five years of the expiration of the license for Project No. 2064, which is the subject of a pending relicensing application. In Hydroelectric Relicensing Regulations Under the Federal Power Act (54 Fed. Reg. 23,756; FERC Stats. and Regs., Regs. Preambles 1986-1990 30,854 at p. 31,437), the Commission declined to forbid all license transfers during the last five years of an existing license, and instead indicated that it would scrutinize all such transfer requests to determine if the transfer's primary purpose was to give the transferee an advantage in relicensing (id. at p. 31,438 n. 318).

The transfer application also contains a separate request for approval of the substitution of the transferee for the transferor as the applicant in the pending relicensing application, filed by the transferor on November 26, 1999, in Project No. 2064-004.

k. Locations of the application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on the web at www.ferc.fed.us/online/rims.htm (Call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the addresses in item g above.

l. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

Comments, Protests, or Motions to Intervene -- Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

Filing and Service of Responsive Documents -- Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the

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Project No. 2064-005, et al.

- 3 -

particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

Agency Comments -- Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers
Secretary

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