

144 FERC ¶ 62,021
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Wausau Paper Mills, LLC
Specialty Papers Acquisition, LLC

Project Nos. 2161-034 and 2207-045

ORDER APPROVING TRANSFER OF LICENSES

(Issued July 10, 2013)

1. By application filed April 22, 2013, Wausau Mills, LLC (transferor) and Specialty Papers Acquisition, LLC (transferee) seek Commission approval to transfer the licenses for the Rhinelander Hydroelectric Project, FERC No. 2161 and the Mosinee Hydroelectric Project, FERC No. 2207. The Rhinelander Hydroelectric Project is located on the upper Wisconsin River in Oneida County, Wisconsin. The Mosinee Hydroelectric project is located on the Wisconsin River in Marathon County, Wisconsin.

Background

2. The Commission issued a new license to Rhinelander Paper Company for the Rhinelander Hydroelectric Project in 2003.¹ The Rhinelander Project was transferred to Wausau Paper Specialty Products, LLC in 2006.² Wausau Paper Specialty Products, LLC amended the license in 2011 to reflect the new name Wausau Paper Mills, LLC.³

3. The Commission issued a new license to Mosinee Paper Corporation for the Mosinee Hydroelectric Project in 2005.⁴ The Mosinee Project was transferred to Wausau Specialty Products, LLC in 2006.⁵ Wausau Paper Specialty Products, LLC amended the license in 2011 to reflect the new name Wausau Paper Mills, LLC.⁶

¹ 104 FERC ¶ 62,134, Order Issuing New License, issued August 20, 2003.

² 117 FERC ¶ 62,270, Order Approving Transfer of License, issued December 28, 2006.

³ 135 FERC ¶ 62,263, Order Amending License, issued June 28, 2011.

⁴ 111 FERC ¶ 62,033, Order Issuing New License, issued April 7, 2005.

⁵ 117 FERC ¶ 62,271, Order Approving Transfer of License, issued December 28, 2006.

⁶ 135 FERC ¶ 62,262, Order Amending License, issued June 28, 2011.

4. Public notice of the transfer of license application was issued May 30, 2013, establishing July 1, 2013, as the deadline for filing comments, protests, and motions to intervene.⁷ No comments, protests, or motions to intervene were filed.
5. Transferee has agreed to accept all of the terms and conditions of all the licenses and to be bound by the licenses as if it were the original licensee.
6. Transferor has generally complied with the terms and conditions of the licenses and agrees to pay annual charges that have accrued to the date of the transfers. Transferee will be required to comply with the requirements of the licenses as though it were the original licensee. Transfer of licenses for these projects is consistent with the Commission's regulations and is in the public interest.

The Director orders:

(A) Transfer of the Rhinelander Hydroelectric Project, FERC No. 2161 and the Mosinee Hydroelectric Project, FERC No. 2207 licenses from Wausau Paper Mills, LLC to Specialty Papers Acquisition, LLC is approved

(B) Wausau Paper Mills, LLC shall pay all annual charges that accrue up to the effective date of the transfers.

(C) Approval of the transfers are contingent upon: (1) transfer of titles of the properties under licenses, transfer of all project files including all dam safety related documents, and delivery of all licenses instruments to Specialty Papers Acquisition, LLC which shall be subject to the terms and conditions of the licenses as though it were the original licensee; and (2) Specialty Papers Acquisition, LLC acknowledging acceptance of this order and its terms and conditions by signing and returning the attached acceptance sheet. Within 60 days from the date of this order, the transferee shall submit certified copies of all instruments of conveyance and the signed acceptance sheet.

⁷ 77 Fed. Reg. 41,975 (July 17, 2012).

(D) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the FPA, 16 U.S.C. § 8251 (2006), and the Commission's regulations at 18 C.F.R. § 385.713 (2012). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Charles K. Cover, P.E.
Chief, Project Review Branch
Division of Hydropower Administration
and Compliance

Project Nos. 2161-034 and 2207-045

4

IN TESTIMONY of its acknowledgment of acceptance of all of the terms and conditions of this order, _____ this ____ day of _____, 20____, has caused its corporate name to be signed hereto by _____, its President, and its corporate seal to be affixed hereto and attested by _____ its Secretary, pursuant to a resolution of its Board of Directors duly adopted on the _____ day of _____, 20____, a certified copy of the record of which is attached hereto.

By _____

Attest:

Secretary
(Executed in triplicate)

Document Content(s)

P-2161-034.DOC.....1-4