

82 FERC ¶ 62,190

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Niagara of Wisconsin Paper Corporation Consolidated Papers, Inc.) Project No. 2536-019

ORDER APPROVING TRANSFER OF LICENSE

MAR 17 1998

Niagara of Wisconsin Paper Corporation (Niagara) seeks Commission approval to transfer its license 1/ for the Little Quinnesec Falls Project to Consolidated Papers, Inc. (Consolidated). The 9.1-megawatt project is located on the Menominee River, in Marinette County, Wisconsin, and Dickinson County, Michigan.

Niagara reports that on June 30, 1995, Consolidated acquired all stock of Niagara, and Niagara has been a wholly-owned subsidiary of Consolidated since that time. Consolidated is incorporated under the laws of the State of Wisconsin. Niagara has fully complied with the terms of the license and agrees to pay annual charges that have accrued to the date of the transfer. A review of our records indicates that Niagara has no outstanding compliance matters.

Public notice of the transfer application was issued on December 10, 1997. No comments, protests, or motions to intervene were filed in response to the public notice of the transfer application.

Consolidated's wholly-owned subsidiary, Consolidated Water Power Company (CWPCO), will assume overall management of the project. CWPCO also is the licensee for the Wisconsin River Diversion Project, FERC No. 2590 and the DuBay Project, FERC No. 1953 and operates the Petenwell-Castle Rock Project, FERC No. 1984 for the licensee Wisconsin River Power Company.

We anticipate that Consolidated will comply with the terms and conditions of the license in the same manner as Niagara. Further, Consolidated is qualified to hold the license and to operate the properties under the license, and will be required to accept all of the terms and conditions of the license and to be bound by the license as if it were the original licensee.

Transfer of the license for this project is consistent with the Commission's regulations and is in the public interest.

1/ 79 FERC ¶ 62,095 (1997). The expiration date for the license is April 30, 2037.

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The Director orders:

(A) The transfer of the license for the Little Quinnesec Project is approved.

(B) Niagara shall pay all annual charges that accrue up to the effective date of the transfer.

(C) Approval of the transfer is contingent upon:
(1) transfer of title of the properties under license and delivery of all license instruments to Consolidated Papers, Inc. which shall be subject to the terms and conditions of the license as though it were the original licensee; and (2) Consolidated Papers, Inc. 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.

(D) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.


Carol L. Sampson
Director
Office of Hydropower Licensing

Project No. 2536-019

IN TESTIMONY of its acknowledgment of acceptance of all of the terms and conditions of this order, _____ this ____ day of _____, 19____, 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 _____, 19____, a certified copy of the record of which is attached hereto.

By _____

Attest:

Secretary
(Executed in quadruplicate)

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