



United States  
Department of  
Agriculture

Forest  
Service

Eastern Region

626 E. Wisconsin  
Suite 800  
Milwaukee, WI 53202

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**File Code:** 2770

**Date:** November 7, 2012

The Honorable Kimberly Bose  
Secretary  
Federal Energy Regulatory Commission  
888 1st Street, NE  
Washington, DC 20426-0001

RE: NOTICE OF INTERVENTION, UPPCO, Application of License Amendment, Project No. 1864-164

Dear Ms. Bose:

On October 12, 2012, the Federal Energy Regulatory Commission (Commission) issued a "Notice of application accepted for filing, soliciting motions to intervene, protests and comments," for the Bond Falls Project #1864-164. Upper Peninsula Power Company (UPPCO) has requested an amendment to its license in order remove the Cisco Dam development from its license.

The existing license contains conditions that are related to the Cisco Dam development that were imposed by the Commission, after being presented by the U. S. Department of Agriculture, Forest Service (Forest Service) pursuant to Section 4(e) of the Federal Power Act (FPA) 16 U.S.C. 797(e). See: Upper Peninsula Power Company, Project No. 1864-019, Order on Rehearing, 110 FERC ¶61,141 (February 14, 2005) and Upper Peninsula Power Company, Order Approving Settlement and Issuing New License, Project No. 1864-005 104 FERC ¶62,135 (August 20, 2003).

Land and interests in land owned by the United States and administered by the Forest Service are considered National Forest System land (16 U.S.C. 1609) and constitute a "reservation" as defined by Section 3 under the FPA 16 U.S.C. 796(2). According to the Commission's own finding, there are approximately 379 acres of National Forest System land within the licensed project boundary; and approximately 284 acres of National Forest System land are found within the Cisco Dam development Upper Peninsula Power Company, Project No. 1864-019, Order on Rehearing, 110 FERC ¶61,141, at p. 6 (February 14, 2005). All of this National Forest System land is administered by the Forest Service as part of the Ottawa National Forest.

The Forest Service intervened in the above-referenced license proceeding, and for the protection of those same interests, hereby provides Notice of Intervention in the instant matter pursuant to 18 C.F.R. 385.214(a)(2).



The Honorable Kimberly Bose

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Copies of this Intervention have been sent to the official Service List compiled by the Secretary in this proceeding. If you have any questions, please contact Attorney John Vandlik, Office of the General Counsel, (414) 297-3276.

Sincerely,

*/s/ Mary Beth Borst (for)*  
NORA B. RASURE  
Acting Regional Forester

cc: Thomas R Doane  
Mark Fedora  
Mary Beth Borst  
John Vandlik

#### CERTIFICATE OF SERVICE

I, Judy Thiemer, Administrative Support Assistant for the U.S. Forest Service, hereby certify that on this 7<sup>th</sup> day of November 2012, I have served a copy of the forgoing **NOTICE OF INTERVENTION by the United States Department of Agriculture** electronically per Commission direction, or by First Class U.S. Mail, postage prepaid, upon each person designated on the official Service List compiled by the Secretary for the Bond Falls Hydroelectric Project, No. P-1864-164, and that the same **NOTICE OF INTERVENTION** was electronically filed with the Commission this same day.

*/s/ Judy Thiemer*  
Judy Thiemer

Document Content(s)

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