

UNITED STATES OF AMERICA 105 FERC ¶ 62,195
FEDERAL ENERGY REGULATORY COMMISSION

HK Hydro

Project No. 4769-003

ORDER AMENDING EXEMPTION

(Issued December 17, 2003)

On August 27, 2003, and supplemented on October 28, 2003, HK Hydro (HK) exemptee for the Mud Creek Project, FERC No. 4769, provided information regarding the installed capacity of the project. HK filed the information to resolve a discrepancy between the authorized and installed capacity of the upper and lower developments of the Mud Creek project. The project is located on the Mud Creek, in Twin Falls County, Idaho.

BACKGROUND

In the exemption issued on November 20, 1981,¹ the Mud Creek Project is described as consisting of two developments with a total installed capacity of 266 kW. The upper development consisting of 1 generating unit with an installed capacity of 166 kW and the lower development consisting of 1 generating unit with an installed capacity of 100 kW. On July 1, 1988, the exemption was amended to increase the total installed capacity of the project to 655 kW.² The Upper Development was authorized 4 generating units with a combined installed capacity of 435 kW, and the Lower Development was authorized 5 generating units with a combined installed capacity of 220 kW.

During a May 9, 2003 operation inspection of the project, the Commission's Portland Regional Office (PRO), noted a discrepancy between the authorized and installed capacities at the Upper and Lower Developments. In an effort to resolve the capacity discrepancy, the exemptee provided information on August 27, 2003 and supplemented it on October 28, 2003.

¹ 17 FERC ¶ 62,270, Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less.

² 44 FERC ¶ 62,008, Order Amending Exemption From Licensing.

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DISCUSSION

In its filings, the exemptee states that currently there are 3 generating units for the upper development and 3 generating units for the lower development. In a phone conversation with staff the exemptee stated that the correct generating units' capacities at the upper and lower developments are those that were filed on October 28, 2003. Further, the exemptee stated that over the years they have had to repair, remove, and replace units due to maintenance problems. The exemptee also indicated that there are no name plates on the generators or turbines.

The terms and conditions of the exemption include a minimum flow of 5 cfs. The removal or changes in the number of generating units would have no effect on the minimum flow requirement.

According to 18 CFR § 11.1 (2) (i), the authorized installed capacity means the lesser of the ratings of the generator or turbine units. Therefore, this order amends the exemption by revising the authorized installed capacity to 308.25 kW for the upper development, and 316.25 kW for the lower development, for a total of 624.5 kW for the Mud Creek Project (see table below). In this order we are also requiring the exemptee under Ordering paragraph (C) to install nameplates on the turbines and generators to show their respective capacities.

Development	Turbines (T) (kW)	Generators (G) (kW)	Authorized Capacity (kW)
Upper: Unit 1	225.00	222.00	222.00 (G)
Unit 2	56.25	60.00	56.25 (T)
Unit 3	30.00	35.00	30.00 (T)
Lower: Unit 1	225.00	250.00	225.00 (T)
Unit 2	56.25	60.00	56.25 (T)
Unit 3	37.50	35.00	35.00 (G)
TOTAL			624.5

The Director orders:

(A) The exemption for the Mud Creek Project, FERC No. 4769, is amended as provided by this order.

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(B) The project description in the Notice of Application for Exemption attached as Appendix A to the Order Granting Exemption is revised as follows:

Item (A) (3) is revised to read: a powerhouse containing three generating units with a total installed capacity of 308.25 kW.

Item (B) (3) is revised to read: a powerhouse containing three generating units with a total installed capacity of 316.25 kW.

(C) Within 90 days of the date of issuance of this order, the licensee shall install nameplates on the turbines and generators to show their respective capacities, and shall file with the Commission photos of the installed nameplates.

(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.

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