



BILLING CODE 6717-01-P  
DEPARTMENT OF ENERGY  
Federal Energy Regulatory Commission

[Project No. 10855-322]

Upper Peninsula Power Company; Notice of Application Accepted for Filing, Soliciting Comments, Motions to Intervene, and Protests

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

- a. Type of Application: Request for temporary variance of Article 402
- b. Project No.: 10855-322
- c. Date Filed: December 31, 2019, and supplemented January 10 and 21, 2020
- d. Applicant: Upper Peninsula Power Company
- e. Name of Project: Dead River Hydroelectric Project
- f. Location: Dead River, in Marquette County, Michigan
- g. Filed Pursuant to: Federal Power Act, 16 USC 791a-825r.
- h. Applicant Contact: Mr. Virgil Schlorke, Upper Peninsula Power Company, 800 Greenwood Street, Ishpeming, MI 49849, (906) 485-2480
- i. FERC Contact: Mr. Jeremy Jessup, (202) 502-6779, [Jeremy.Jessup@ferc.gov](mailto:Jeremy.Jessup@ferc.gov)

j. Deadline for filing comments, motions to intervene, and protests, is **30 days from the issuance date of this notice by the Commission**. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/doc-sfiling/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659

(TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The first page of any filing should include docket numbers P-10855-322.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. Description of Request: The applicant proposes to modify the start of month target reservoir surface elevation requirements at the Silver Lake Storage Basin (SLSB) and Dead River Storage Basin (DRSB) for the year 2020. Specifically, the applicant proposes to increase the SLSB start-of-month target elevations in February and March from 1,477.5 to 1,479.0 feet National Geodetic Vertical Datum (NGVD); April from 1,477.5 to 1,485.0 feet NGVD; May from 1,479.0 to 1,485.0 feet NGVD; June from 1,481.0 to 1,485.0 feet NGVD; July from 1,481.5 to 1,485.0 feet NGVD; August from 1,480.0 to 1,482.5 feet NGVD; September and October from 1,479.5 to 1480.0 feet NGVD. The licensee would continue to maintain the target elevations for the remaining months as required by Article 402. The applicant proposes to increase the DRSB start-of-month target elevation for May from 1,340.0 to 1,341.0 feet NGVD. The applicant states that the temporary variance will allow the applicant to continue to determine if there are operational modifications that can be employed to improve water quality in the Dead River.

l. 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) 502-8371. This filing may also be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

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

n. Comments, Motions to Intervene, or Protests: Anyone may submit comments, a motion to intervene, or a protest 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, motions to intervene, or protests must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "MOTION TO INTERVENE", or "PROTEST" as applicable; (2) set forth in the heading the name of the applicant and the project number(s) of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person intervening or protesting; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 385.2010.

Dated: January 23, 2020.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

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