



## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1988-104]

### **Pacific Gas & Electric Company; Notice of Application for a Variance under Article 402 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. Application Type: Application for Temporary Variance of Minimum Flow Releases into Dinkey Creek
- b. Project No: 1988-104
- c. Date Filed: November 8, 2024
- d. Applicant: Pacific Gas & Electric Company
- e. Name of Project: Haas-Kings River Hydroelectric Project
- f. Location: The project is located on the North Fork Kings River in Fresno County, California. The project occupies Federal lands managed by the U.S. Forest Service, U.S. Corps of Engineers, and Bureau of Land Management.
- g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791a - 825r
- h. Applicant Contact: Tiffany Begaye; P.O. Box 28209, Oakland, California 94604; T9BC@pge.com; and (559) 955-7135
- i. FERC Contact: Katherine Schmidt; (415) 369-3348; and katherine.schmidt@ferc.gov

j. Cooperating agencies: With this notice, the Commission is inviting Federal, State, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. Deadline for filing comments, motions to intervene, and protests: January 15, 2025.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <https://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 <https://www.ferc.gov/docs-filing/ecomment.asp>. 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, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P-1988-104. Comments emailed to Commission staff are not considered part of the Commission record.

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 whose

name appears 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.

l. Description of Request: The licensee requests a temporary variance of the release requirements under Article 402 that require it, in part, to release from the Kings penstock into Dinkey Creek a minimum flow in dry water years of 15 cubic feet per second (cfs), and from December 1 through May 31 in wet or normal water year types, as measured at gaging station the discharge point (KI-31), and to ensure a minimum of 25 cfs in the North Fork Kings River downstream of Dinkey Creek. With the variance, the licensee proposes to eliminate the 15 cfs supplemental flow releases from January 6 through May 31, 2025, to dewater the Kings River tunnel and penstock to enable the replacement and testing of a turbine shut-off valve. The licensee states that natural flows will still be present in Dinkey Creek through this time and that it will ensure the minimum requirement of 25 cfs in the North Fork Kings River will be maintained during the variance period.

m. Locations of the Application: This filing may be viewed on the Commission's website at <https://www.ferc.gov> using the "eLibrary" link. 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. Agencies may obtain copies of the application directly from the applicant.

- n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.
- o. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. 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, protests, or motions to intervene must be received on or before the specified comment date for the particular application.
- p. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; 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. Any filing made by an intervenor 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 18 CFR 385.2010.
- q. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or

requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or  
OPP@ferc.gov.

Dated: December 16, 2024.

**Debbie-Anne A. Reese,**

*Secretary.*

[FR Doc. 2024-30467 Filed: 12/19/2024 8:45 am; Publication Date: 12/20/2024]