

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 10855-252, -254--Michigan
Dead River Hydroelectric Project
Upper Peninsula Power Company

February 11, 2016

Mr. Virgil E. Schlorke, Director
Upper Peninsula Power Company
1002 Harbor Hills Drive
Marquette, MI 49855

Subject: Minimum Flow Deviations - Article 403

Dear Mr. Schlorke:

This is in response to your reports filed on December 16, 2015 and January 20, 2016, concerning minimum flow deviations at the Hoist and McClure developments of the Dead River Hydroelectric Project No. 10855. You submitted the filings pursuant to Article 403 of the license.¹ For reasons discussed below, we determined that these deviations are not violations of Article 403 of your license.

License Requirements

Article 403 for the Dead River Hydroelectric Project requires you to maintain continuous minimum flows downstream of the McClure and Hoist powerhouses of 80 cubic feet per second (cfs) and 100 cfs, respectively, for the protection and enhancement of water quality, recreation, and aquatic resources in the Dead River.

You may temporarily modify minimum flows releases from the project, if required by operating emergencies beyond your control, including but not limited to floods, ice conditions, drought, and electrical emergencies, or for short periods. You must obtain a prior mutual agreement among you, the Michigan Department of Natural Resources (Michigan DNR), the Michigan Department of Environmental Quality (Michigan DEQ) and

¹ *Upper Peninsula Power Company*, 101 FERC ¶ 62,013 (2002), and *Upper Peninsula Power Company*, 136 FERC ¶ 62,186 (2011).

the U.S. Fish and Wildlife Service (FWS). You must report to the Commission all deviations that last longer than one hour or result in environmental impacts within 30 days of the date that the data become available. The report must to the extent possible, identify the cause, severity, and duration of the incident, and any observed or reported adverse environmental impacts resulting from the incident.

Minimum Flow Incidents

In the December 16, 2015 filing, you report that on November 18, 2015, minimum flow interruptions occurred at the Hoist and McClure developments due to severe weather conditions. At 10:02 Central Daylight time (CDT), the generating units at both powerhouses tripped off line due to a fault in the transmission system that resulted from high winds and falling trees. You dispatched operators to both powerhouses and cleared the fault. Your operators opened the Low Level Outlet (LLO) gate and re-established the required minimum flows. You re-established normal operations at the Hoist Development at 11:45 CDT and at the McClure Development at 15:34 CDT.

In the January 20, 2016 filing, you report that on December 24, 2015, at 3:39 Central Standard Time (CST), minimum flow interruptions occurred at the Hoist and McClure developments due to severe weather conditions. You reported that a falling tree caused an electrical fault in the transmission line, which tripped the generating units at the Hoist and McClure developments. You dispatched operators to both developments and cleared the faults. You re-established the required minimum flows at both developments at 5:12 CST, via the LLO. You resumed normal operation at the McClure Development at 7:29 CST and at the Hoist Development at 8:24 CST.

You did not observe any adverse environmental effects resulting from the incidents. You report that due to the nature of the events, you are not proposing any corrective actions at this time. Your filing indicates that for all reported deviation incidents, you contacted the Michigan DNR, Michigan DEQ and FWS as required by your license. However, you did not receive any comments from the resource agencies regarding the incidents.

Conclusion

After reviewing the information provided in your reports, we have concluded that the minimum flow deviations occurred on November 18 and December 24, 2015, at Hoist and McClure developments of the Dead River Hydroelectric Project were due to severe weather conditions that resulted in electrical faults in the transmission system. Therefore, we will not consider these incidents violations of Article 403 of your license. For each incident, you

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took immediate action and followed the appropriate procedures to restore the required minimum flows at both developments in a timely manner. You did not observe any environmental effects and no comments were filed from the resource agencies.

Thank you for your cooperation in this matter. If you have any questions concerning this letter, please contact Anumzziatta Purchiaroni at (202) 502-6191, or by e-mail at anumzziatta.purchiaroni@ferc.gov.

Sincerely,

Kelly Houff
Chief, Engineering Resources Branch
Division of Hydropower
Administration and Compliance

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