

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426  
June 2, 2008

OFFICE OF ENERGY PROJECTS

Project No. 2079-061 – California  
Middle Fork American Project  
Placer County Water Agency

**Reference: Request for Comments on Licensee's Request for Waiver of  
Commission's Regulations**

To the Stakeholders Addressed:

On May 23, 2008, Placer County Water Agency (Placer County) filed a request to expedite the Study Plan Determination Process and waive the Commission's regulations in 18 CFR §5.11 (Potential Applicant's Proposed Study Plan and Study Plan Meetings) and 18 CFR §5.12 (Comments on Proposed Study Plan) for the relicensing of the Middle Fork American Project. Placer County believes that they and the relicensing stakeholders have already completed these phases of the process. Placer County states that expediting the approval process would: (1) provide certainty in the scope of work for studies currently being implemented in 2008 by Placer County based on early stakeholder consensus, and (2) allow the relicensing participants to focus their efforts on completing the technical studies early in the process to provide sufficient time for Placer County and the stakeholders to fully evaluate project effects and collaboratively develop new license conditions.

If sections 5.11 and 5.12 of the Commission's regulations were waived, we would consider the Technical Study Plans included in Placer County's Pre-Application Document (filed December 13, 2007) as well as the revised Instream Flow Technical Study Plan (filed on May 23, 2008) to be Placer County's Revised Study Plans (18 CFR §5.13). Stakeholder comments on Placer County's Revised Study Plans would be due 15 days after the Commission grants any waiver. Fifteen days thereafter, the Commission staff would issue its Study Plan Determination. Any waiver would contain a revised relicensing processing schedule.

We are requesting comments on Placer County's waiver request within 15 days of

the date of this letter. The requested information should be submitted in writing to the Commission and must clearly identify the following on the first page: Middle Fork American Project (P-2079-061).

Address all communications to:

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, DC 20426

All filings sent to the Secretary of the Commission should contain an original and eight copies. Failure to file an original and eight copies may result in appropriate staff not receiving the benefit of your comments in a timely manner. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov>) under the "efiling" link. For assistance with electronic filing, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, (202) 502-8659.

If you have any questions, please contact Carolyn Templeton at (202) 502-8785 or [carolyn.templeton@ferc.gov](mailto:carolyn.templeton@ferc.gov).

Sincerely,

Ann F. Miles, Director  
Division of Hydropower Licensing

cc: Mailing List  
Public Files