



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

[Project No. 1061-094]

Pacific Gas and Electric 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: Application for Temporary Variance of License Requirement
- b. Project No.: 1061-094
- c. Date Filed: January 28, 2014
- d. Applicants: Pacific Gas and Electric Company (licensee)
- e. Name of Project: Phoenix Project
- f. Location: South Fork of the Stanislaus River in Tuolumne County, California
- g. Filed Pursuant to: Federal Power Act, 16 USC 791a-825r.
- h. Applicant Contact: Mr. Ezra Becker, License Coordinator, Pacific Gas and Electric Company, Mail Code: N11C, P.O. Box 770000, San Francisco, CA 94177. Phone (415) 973-3082
- i. FERC Contact: Mr. Mark Pawlowski, (202) 502-6052, or mark.pawlowski@ferc.gov
- j. Deadline for filing comments, motions to intervene, protests, and recommendations is 30 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations 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/docs-filing/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, (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. Please include the project number (**P-1061-094**) on any comments, motions to intervene, protests, or recommendations filed.

k. Description of Request: The licensee requests a temporary variance to reduce minimum flows required by article 105 of the project's license. The licensee states that water conditions in the South Fork of the Stanislaus River are critically dry, and requests that it be allowed to reduce the minimum flow released from Lyons Dam from 5 cubic feet per second (cfs) to 1 cfs. Due to the urgent nature of this request and the potential to conserve water for later municipal and instream flow purposes, the Commission approved the licensee's request by order dated February 6, 2014. The approved temporary variance expires no later than March 15, 2014. However, should the licensee request another temporary variance due to continued drought conditions once the current variance expires, the Commission will take into account any comments received, intervention requests, and protests received in its analysis of any future variance request. Based on responses received to this notice, the Commission has also reserved the right to modify its February 6, 2014 order.

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, 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, 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. 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.

o. Filing and Service of Responsive 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 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 and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the license surrender. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener 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. 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 18 CFR 4.34(b) and 385.2010.

Dated: February 6, 2014.

Kimberly D. Bose,
Secretary.

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