



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

[Project No. 309-087]

Brookfield Power Piney and Deep Creek, LLC;

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 to amend temporary variance of reservoir elevation requirements of license article 402.
- b. Project No.: 309-087
- c. Date Filed: January 27, 2016
- d. Applicant: Brookfield Power Piney and Deep Creek, LLC
- e. Name of Project: Piney Hydroelectric Project
- f. Location: The project is located on the Clarion River in Clarion County, Pennsylvania.
- g. Filed Pursuant to: Federal Power Act, 16 USC 791a-825r.
- h. Applicant Contact: Mr. Randy Garletts, Brookfield Power Piney and Deep Creek, LLC, 14 River View Terrace, Oakland, MD 21550 (301) 387-6616
- 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 15 days from the date of issuance 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-309-087) on any comments, motions to intervene, protests, or recommendations filed.

k. Description of Request: The applicant proposes to modify the timing and duration of the temporary variance of article 402 and Water Quality Certificate conditions 1.1 and 1.2 of the project license issued on March 30, 2015. The licensee requests authorization to operate the Project with a maximum reservoir elevation of 1087.5 ± 0.5 ft msl during the months of April through December, from 2016 through 2018 in order to replace the existing 14 radial spillway gates.

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 amendment. 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 17, 2016.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

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