

*Capacity-Market-Forum@ferc.gov*. Each nomination should state the proposed panelist's name, contact information, organizational affiliation, and what topics the proposed panelist would like to speak on.

The workshop will be open to the public and there is no fee for attendance. Information will also be posted on the Calendar of Events on the Commission's website, *www.ferc.gov*, prior to the event.

The forum will be transcribed and webcast. Transcripts will be available for a fee from Ace Reporting (202-347-3700). A free webcast of this event is available through the Commission's website. Anyone with internet access who desires to view this event can do so by navigating to *www.ferc.gov*'s Calendar of Events and locating this event in the Calendar. The Federal Energy Regulatory Commission provides technical support for the free webcasts. Please call (202) 502-8680 or email *customer@ferc.gov* if you have any questions.

Commission workshops are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov*, call toll-free (866) 208-3372 (voice) or (202) 208-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

For more information about this workshop, please contact Katherine Scott at *katherine.scott@ferc.gov* or (202) 502-6495. For information related to logistics, please contact Sarah McKinley at *sarah.mckinley@ferc.gov* or (202) 502-8368.

Dated: April 19, 2023.

**Debbie-Anne A. Reese,**  
*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 5867-054]

#### Alice Falls Hydro, LLC; Notice of Waiver Period for Water Quality Certification Application

(April 19, 2023)

On April 13, 2023, Alice Falls Hydro, LLC submitted to the Federal Energy Regulatory Commission (Commission) a copy of its application for a Clean Water Act section 401(a)(1) water quality certification filed with the New York State Department of Environmental

Conservation (New York DEC), in conjunction with the above captioned project. Pursuant to 40 CFR 121.6 and section 4.34(b)(5) of the Commission's regulations,<sup>1</sup> we hereby notify New York DEC of the following:

*Date of Receipt of the Certification Request:* April 12, 2023.

*Reasonable Period of Time to Act on the Certification Request:* One year (April 12, 2024).

If New York DEC fails or refuses to act on the water quality certification request on or before the above date, then the agency certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: April 19, 2023.

**Debbie-Anne A. Reese,**  
*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 3409-036]

#### Boyne USA, Inc.; Notice of Application Accepted for Filing and 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:* Temporary variance of license requirement.

b. *Project No.:* 3409-036.

c. *Date Filed:* April 17, 2023.

d. *Applicant:* Boyne USA, Inc.

e. *Name of Project:* Boyne River Hydroelectric Project.

f. *Location:* The project is located on the Boyne River in Charlevoix County, Michigan and does not occupy Federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Tyler Prange, Area Manager, Boyne Mountain Resort, Boyne USA, Inc. (231) 549-6076, *Tyler.prange@boynemountain.com*.

i. *FERC Contact:* Brian Bartos, (202) 502-6679, *brian.bartos@ferc.gov*.

j. *Deadline for filing comments, motions to intervene, and protests is* May 19, 2023.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests 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, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include docket number P-3409-036. 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.

k. *Description of Request:* The licensee requests Commission approval, through December 31, 2023, for a temporary variance of the run of river (ROR) requirements at the Boyne Project, as required by Article 25 of the amended project license. The licensee is requesting the variance to perform an 11-foot drawdown of the project reservoir in order to complete necessary maintenance of the hydropower generation system, maintenance of the intake canal, and work to the left embankment to bring factors of safety into compliance with the Commission's guidelines. The temporary variance from ROR requirements would only be necessary during the drawdown and refill periods; ROR operation would be maintained in between. The licensee anticipates the drawdown process to take approximately one month and would initiate drawdown after May 15, 2023. The proposed refill of the impoundment would occur over a period of two weeks in late summer or late fall of 2023 and would maintain a

<sup>1</sup> 18 CFR 4.34(b)(5).