

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

East Texas Electric Cooperative, Inc.

Project No. 12632-002

ORDER GRANTING EXTENSION OF TIME TO COMMENCE CONSTRUCTION

(April 3, 2013)

1. On March 22, 2013, East Texas Electric Cooperative, Inc. (licensee), licensee for the proposed 24-megawatt Lake Livingston Hydroelectric Project (FERC No. 12632), filed a request for a two-year extension of time, until August 26, 2015, to begin construction of the project.¹ The project will be located on the Trinity River Authority of Texas' existing Lake Livingston dam on the Trinity River, in San Jacinto, Polk, Trinity, and Walker counties, in southeastern Texas. The project will not occupy any federal lands.

Background

2. Article 307 of the license requires the licensee to commence construction of the project works within two years from the issuance date of the license. Section 13 of the Federal Power Act provides that the deadline for starting construction may be extended once, for a period not exceeding two additional years.

Discussion

3. The licensee states it has been working diligently towards project development, including that it has submitted requests for generator interconnection and for transmission service, entered into a contract with a turbine-generator vendor, and issued Requests for Proposals to prospective engineering, procurement, and construction contractors. The licensee also states that it has submitted timely compliance filings as required by the license.

¹ Order Issuing New License. 136 FERC ¶ 62,171 (Issued August 26, 2011).

Review

1. The licensee filed its extension request timely and the reasons advanced are reasonable and justify the additional time to begin construction. As such, ordering paragraph (A) grants the one-time extension, of two years, to commence construction.

The Director orders:

(A) The deadline for the licensee to commence construction of the Lake Livingston Hydroelectric Project, in accordance with Article 307 of its license, is extended to August 26, 2015.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825f (2006), and the Commission's regulations at 18 C.F.R. § 385.713 (2012). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Charles K. Cover, P.E.
Chief, Project Review Branch
Division of Hydropower Administration
and Compliance

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