

SOS
SaveOurSchools/ShareOurShorelines
P.O. Box 11
Trout Creek, MI 49967
(906) 365-0061
imyourtest@yahoo.com

January 17, 2008

Via E-Filing

Kimberly D. Bose, Secretary
Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission
DHAC PJ-12.1
888 First Street NE
Washington, DC 20426

RE: Upper Peninsula Power Company Shoreline Management Plans for P-1864-083 (Bond Falls Hydroelectric Project); P-10856-061 (Au Train Hydroelectric Project); P-10854-080 (Cataract Hydroelectric Project); P-2506-144 (Escanaba River Hydroelectric Project); P-2402-108 (Prickett Hydroelectric Project) and Request for Non-Project Uses of Project Lands

Dear Secretary Bose:

Enclosed for filing is a Motion to Intervene on behalf of SOS SaveOurSchools/ShareOurShorelines for the above-referenced proceedings.

Respectfully submitted,

Maggi Brown
On Behalf of
SaveOurSchools/ShareOurShorelines

Cc: Service List (electronic service)

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

WASHINGTON, D.C.

Upper Peninsula Power Company

P-1864-083

P-10856-061

P-10854-080

P-2506-144

P-2402-108

**SaveOurSchools/ShareOurShorelines
MOTION TO INTERVENE**

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 C.F.R. 385.214, SaveOurSchools/ShareOurShorelines, (SOS) respectfully requests the Commission to grant it leave to intervene in the above-referenced proceedings concerning Upper Peninsula Power Company's application for approval of Non-Project uses of Project Lands and approval of Shoreline Management Plans for their 5 Hydroelectric Projects noted above. In support of its request, SaveOurSchools/ShareOurShorelines submits the following:

1. All communications with respect to this pleading and in this proceeding should be served on the following individual:

Maggi Brown
P.O. Box 11
Trout Creek, MI 49967
Tel: 906-365-0061
Email: imyourtest@yahoo.com

2. **Introduction** On December 28, 2007 the Federal Energy Regulatory Commission issued a notice regarding a permit application for Non-Project uses of Project Lands and supporting Shoreline Management Plans by Upper Peninsula Power Company for their Bond Falls, Prickett, Au Train, Cataract, and Escanaba River Hydroelectric Projects in the Upper Peninsula of Michigan. In accordance with Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 C.F.R. 385.214, SaveOurSchools/ShareOurShorelines, (SOS) hereby moves to intervene in the proceedings.

3. **Statement of Interest** SaveOurSchools/ShareOurShorelines, (SOS), was formed when concerned parties became aware of Upper Peninsula Power Company's decision to sell a portion of their private non-project land surrounding its five Hydroelectric Projects in the Upper Peninsula of Michigan.

The Upper Peninsula contains almost one-third of the land area of the State of Michigan, but with approximately 330,000 people living in the U.P., it only contains 3% of the state's total population. The economies across the U.P. are struggling for survival. Mining and logging have

been the predominant source of employment throughout the years, but that's no longer the case. Most mines in our area have been closed, not because the ore being mined was depleted, but because special interest groups such as those that are in opposition to the approval of UPPCO's submitted SMP's were successful in their efforts regarding mining in the Upper Peninsula. Currently, limited mining and logging remain as two of the few opportunities for employment in the U.P.

Our potential for economic growth and development in the Upper Peninsula of Michigan is extremely limited because the majority of our land is government owned recreational forest land today. The Ottawa National Forest located on the western end of the peninsula, and the Hiawatha National Forest located in the mid section and eastern end comprise nearly 2,000,000 acres of land in the U.P. We have 20 State Parks and a large number of County and Township Parks across the peninsula as well, which leaves us with an extremely limited amount of private property on which our areas economies have any hope for expansion. Upper Peninsula Power Company's non-project land being sold around their 5 FERC regulated Hydroelectric Projects across the U.P. is a major portion of the private property available to economic development. The Commission's denial of the proposed SMP's listed above will negatively impact the economic and social structure of the entire Upper Peninsula of Michigan and the people want to live and raise their families here.

By the Federal Energy Regulatory Commission giving their approval of Upper Peninsula Power Company's Shoreline Management Plans and their request for non-project uses of project lands, FERC would be providing something that the Upper Peninsula of Michigan doesn't have and desperately needs to preserve our local economies.....sustained, controlled, responsible, eco-friendly economic development that is no longer readily available in U.P.

We believe that any development occurring from Upper Peninsula Power Company's land sale, combined with FERC's approval of the Shoreline Management Plans they've submitted, as well as the approval of their request for non-project uses of the project lands, is expected to assist the construction trades, local businesses, and increase our tax bases to the benefit of our school systems, as well as our township and county units of government, and some of the resources they provide for the people who live here.

4. **Grounds for Intervention** The future economic viability of the Upper Peninsula of Michigan is truly at stake today. The Federal Energy Regulatory Commission's approval or denial of the above noted Shoreline Management Plans, as well as Upper Peninsula Power Company's request for approval of non-project uses of their project land, will prove to be instrumental in the future of the Upper Peninsula and those of us who choose to live, work and raise our families here. Myself, as well as all members of our group will be directly affected by the decision that the Commission makes in these matters, and thus we believe that we have an obligation, as citizens, residents (AKA: Yoopers), voters, employees, employers and taxpayers of the areas around the affected flowages, to intervene on our own behalf.

5. **Statement of Position** Members of SOS have a profound and enduring interest in the future of the Upper Peninsula of Michigan. We've walked along side Upper Peninsula Power Company throughout the process of compiling the Shoreline Management Plans for their

hydroelectric projects across the U.P. during the past two years. We became involved when the announcement was made that “UPPCO” was considering the sale of their non-project land, and have been involved in the process every step of the way since that time. We’ve taken part in public hearings, focus groups, county, township, and other public meetings across the Upper Peninsula. We’ve made certain that our voices were heard, our concerns were addressed, our input was considered and all of our questions regarding each of the 5 Hydroelectric Projects were answered.

The Upper Peninsula Power Company presented the general public in each area with their “draft” Shoreline Management Plans for the FERC regulated projects noted above, early in this lengthy process. We were given ample opportunity to have our input in what they (UPPCO) had proposed. Many of us had suggestions for additional enhancements that we felt would better serve the public’s access to and use of the project lands being addressed in the SMP’s. In several cases, members of the public requested that certain amenities included in UPPCO’s request for approval of non-project uses of the project land involved, be removed from the Shoreline Management Plans, citing various environmental, aesthetic, or conservation related concerns. (All comments, both positive and negative, are included in the submitted SMP’s) Various changes were made to the Plans in response to the comments received during the 60 day public comment period held by UPPCO.

After careful study of each final SMP assembled by UPPCO for all of their 5 Hydroelectric Projects, our group, SaveOurSchools/ShareOurShorelines, firmly believe that it is in the best interest of the Upper Peninsula of Michigan that the Federal Energy Regulatory Commission approves the Shoreline Management Plans submitted by Upper Peninsula Power Company, **P-1864-083, P-10856-061, P-10854-080, P-2056-144 and P-2402-108** as well as their request for non-project uses of their project land as expeditiously as possible. Our areas need what your approval of these plans promise for the future of the Upper Peninsula of Michigan; Responsible, eco-friendly development that will prove to enhance our economies, protect our environment, preserve our natural resources, and ensure the publics unhampered access to and use of UPPCO’s Project Lands in the U.P. for generations to come.

6. **Conclusion** WHEREFORE, and for all of the foregoing reasons, SOS SaveOurSchools/ShareOurShorelines requests this Commission grant its Motion to Intervene as a party herein with full rights to participate in all further proceedings.

Respectfully submitted,

Maggi Brown

On Behalf of
SaveOurSchools/ShareOurShorelines

CERTIFICATE OF SERVICE

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 C.F.R. 385.214, I hereby certify that on January 17, 2008, the foregoing "Motion to Intervene" was served upon each person designated on the official service list in these proceedings Via E-Filing through a validated e-Registration account.

Dated at Trout Creek, Michigan, this 17th day of January, 2008

/s/ Maggi Brown

Maggi Brown
On Behalf of
SaveOurSchools/ShareOurShorelines

Submission Contents

SOSIntervention.doc..... 1-5