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Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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Dated: September 14, 2023.

Debbie-Anne A. Reese,
Deputy Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3133-000]

Brookfield White Pine, LLC, Errol Hydroelectric Co., LLC; Notice of Authorization for Continued Project Operation

The license for the Errol Hydroelectric Project No. 3133 was issued for a period ending July 31, 2023.

Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee(s) under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 3133 is issued to Brookfield White Pine Hydro, LLC and Errol Hydroelectric Co., LLC for a period effective August 1, 2023, through July 31, 2024, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before July 31, 2024, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to section 15 of the FPA, notice is hereby given that Brookfield White Pine Hydro, LLC and Errol Hydroelectric Co., LLC are authorized to continue operation of the Errol Hydroelectric Project under the

terms and conditions of the prior license until the issuance of a new license for the project or other disposition under the FPA, whichever comes first.

Dated: September 14, 2023.

Kimberly D. Bose,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2639-028]

Northern States Power Company—Wisconsin; Notice of Waiver Period for Water Quality Certification Application

On September 11, 2023, Northern States Power Company—Wisconsin 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 Wisconsin Department of Natural Resources (Wisconsin DNR), in conjunction with the above captioned project. Pursuant to section 401 of the Clean Water Act¹ and section 4.34(b)(5) of the Commission's regulations,² a State certifying agency is deemed to have waived its certifying authority if it fails or refuses to act on a certification request within a reasonable period of time, which is one year after the date the certification request was received. Accordingly, we hereby notify Wisconsin DNR of the following:

Date of Receipt of the Certification Request: September 11, 2023.

Reasonable Period of Time to Act on the Certification Request: One year (September 11, 2024).

If Wisconsin DNR 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: September 14, 2023.

Kimberly D. Bose,
Secretary.

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¹ 33 U.S.C. 1341(a)(1).

² 18 CFR 4.34(b)(5) (2022).