

## Friends of the River • Trout Unlimited

Ms. Kimberly Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

May 10, 2007

RE: Comment of Friends of the River and Trout Unlimited on the License Surrender Process, Kilarc-Cow Creek FERC Project 606

Dear Ms. Bose,

Friends of the River and Trout Unlimited have been involved in the Kilarc-Cow project since 2002. We participated in relicensing and settlement discussion with PG&E and myriad other parties including the California Department of Fish and Game, California State Water Resources Control Board, National Marine Fisheries Service and Fish and Wildlife Service. Our interest throughout this time has been the restoration and maintenance of anadromous and resident fish in Old Cow Creek.

In 2005, we were pleased to sign a settlement agreement with PG&E providing that PG&E would not seek a new license for the project and instead, parties would support the decommissioning of the project as a viable and cost effective alternative to relicensing. Friends of the River and Trout Unlimited continue to enthusiastically support this settlement agreement and support the commencement of the surrender phase of this project.

We note that when PG&E declared its intention to not relicense the project, FERC opened the project to any party interested in taking it over. When the window to submit a new application closed in 2005, SES was the only party able to satisfy the requirements. SES has since failed to submit a license application. It is our view that 18 CFR §16.25 has been satisfied and the window of opportunity for new applications closed in June 2005. Thus, we request that FERC reject the notice of intent of Davis Hydro and commence the surrender phase of the process to prevent additional delays in this proceeding.

Sincerely,

Kelly L. Catlett  
Friends of the River

Brian Johnson  
Trout Unlimited

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