



Nathan T. Fey  
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February 16, 2012

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

**Re: Cortez Pumped Storage Project Preliminary Permit, Project No. 14328-000  
Motion to Intervene**

Dear Secretary Bose:

Enclosed for filing in the above referenced proceeding is American Whitewater's MOTION TO INTERVENE IN OPPOSITION to the Commission's December 20, 2011 Notice of Acceptance for the Cortez Pumped Storage Project Preliminary Permit Application.

Copies of this filing have been served on all parties of record to this proceeding. Thank you for your assistance. Please call me at (303) 859-8601 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Nathan T. Fey".

Nathan T. Fey  
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**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

INCA Engineers, Inc.	)	Project No. 14328-000
	)	Cortez Pumped Storage Project
	)	
	)	Motion to Intervene of
<u>Preliminary Permit Application</u>	)	<u>American Whitewater</u>

**AMERICAN WHITEWATER MOTION TO INTERVENE ON PRELIMINARY  
PERMIT APPLICATION FOR THE CORTEZ PUMPED STORAGE PROJECT  
FERC PROJECT NUMBER 14328-000**

(Submitted February 16, 2012)

**I. Introduction**

By notice dated December 20, 2011 the Federal Energy Regulatory Commission (Commission) issued its “NOTICE OF PRELIMINARY PERMIT APPLICATION ACCEPTED FOR FILING AND SOLICITING COMMENTS, MOTIONS TO INTERVENE, AND COMPETING APPLICATIONS,” for INCA Engineers, Inc., Cortez Pumped Storage Project, FERC No. P-14328-000.<sup>1</sup> The Notice provided 60 days for the submission of filings. Pursuant to 18 C.F.R. § 385.214 American Whitewater hereby moves to intervene in this proceeding. Service of process and other communications should be made to:

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1601 Longs Peak Ave.  
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303-859-8601

**II. Motion to Intervene**

**A. Interest of the Intervenors**

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with over 5,000 members and 100 local-based affiliate clubs, representing whitewater paddlers across the nation. American Whitewater’s mission is to

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<sup>1</sup> FERC eLibrary Accession No. 20120207-0010

conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. As a conservation-oriented paddling organization, American Whitewater has a significant interest in the Dolores River and Plateau Creek, which would be adversely affected by this project. Our organization has a direct interest in changes to flows, public access to the river, flow information, native species and habitat, land management, watershed protection and other topics that will arise in the consideration of a hydropower project on Plateau Creek, a tributary to the Dolores River. Based on the interests stated above, American Whitewater hereby requests Intervenor status in the Preliminary Permit Application in this filing.

## **B. Grounds for Intervention**

Intervention by American Whitewater is in the public interest as required by 18 C.F.R. §385.214(b)(2)(iii). American Whitewater has significant and undeniable interests in the preservation of Plateau Creek and the Dolores River's natural, recreational, cultural and streamflow-dependant resources. No other parties to the proceeding will be able to adequately represent those interests and therefore American Whitewater has a direct and substantial interest in the outcome of this proceeding.

## **III. Conclusion**

American Whitewater strongly objects to the development of the Cortez Pumped Storage Project due to the significant negative impacts on the recreational, aesthetic, habitat and ecological values of Plateau Creek and the Dolores River.

We respectfully request that the Commission grant American Whitewater's Motion to Intervene, establishing standing for our organization in the proceedings related to INCA Engineers, Inc., application for Preliminary Permit for the proposed Cortez Pumped Storage Project.

Respectfully submitted,



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Dated: February 16<sup>th</sup>, 2012