

7-28-48

file

**FEDERAL PERMIT**

**AUTHORIZING**

**MARIAS RIVER ELECTRIC COOPERATIVE, INC.**

**TO OPERATE AND MAINTAIN**

**ELECTRIC TRANSMISSION FACILITIES**

**AT THE INTERNATIONAL BORDER BETWEEN**

**THE UNITED STATES AND CANADA**

**(FEDERAL POWER COMMISSION - DOCKET NO. E-6108)**

Released with  
order 9-28-48  
in 17-6097

E-6108

By virtue of the authority vested in me as President of the United States and by reason of the acceptance of the provisions, terms and conditions hereinafter specified, permission is hereby granted to Marias River Electric Cooperative, Inc. (hereinafter referred to as the "Permittee"), a Montana non-profit corporation, with principal office at Shelby, Montana, to operate, maintain and connect electric transmission facilities, more specifically described below, on the international boundary line between the United States and Canada, at the Town of Sweet Grass, Montana, for the transmission of electric energy from the United States to Canada.

Article 1. It is expressly agreed by the Permittee that the facilities herein described shall be subject to all conditions, provisions, and requirements of this permit; Permittee agrees that this permit may be terminated at the will and pleasure of the President of the United States with or without cause, and that it may be amended by the President of the United States upon proper application therefor.

Article 2. The facilities covered by and subject to this permit shall include, in addition to the following, all lands and supporting structures within the rights-of-way occupied by such facilities:



One 3-phase line operating nominally at 6,900 volts, 60 cycles, located at a point on the international boundary at the town of Sweet Grass, Montana, and opposite the Village of Coutts, Province of Alberta, Dominion of Canada;

which facilities are more specifically shown and described in the application for Presidential Permit filed with the Federal Power Commission (hereinafter called the "Commission") on November 28, 1947, pursuant to the provisions of Executive Order No. 8202, dated July 13, 1939, and the rules and regulations of the Commission. No substantial change shall hereafter be made in the facilities and operations authorized by this permit until such change shall have been approved by the Commission.

Article 3. The operation, maintenance, and connection of the aforesaid facilities shall be subject to the inspection and approval of the District Engineer, Corps of Engineers, United States Army, in charge of the District affected herein and a representative of the Commission, both of whom shall be authorized representatives of the United States for such purposes. The Permittee shall allow officers or employees of the United States showing proper credentials free and unrestricted access into, through, and across lands occupied by said facilities in the performance of their official duties.

Article 4. In the construction, operation, and maintenance of the facilities herein specified, the Permittee shall place and maintain suitable structures to reduce to a reasonable degree the liability of contact or inductive interference between its transmission line and any other facilities not owned by the Permittee.

Article 5. If in the future it should appear to the Secretary of the Army that any facilities or operations permitted hereunder cause

unreasonable obstruction to the free navigation of any of the navigable waters of the United States, the Permittee may be required, upon notice from the Secretary of the Army, to remove or alter the same so as to render navigation through such waters free and unobstructed.

Article 6. The Permittee shall be liable for all damages occasioned to the property of others by the operation, maintenance, or connection of the aforesaid facilities, and in no event shall the United States be liable therefor. The Permittee shall do everything reasonably within its power to prevent or suppress fires on or near the lands occupied under this permit.

Article 7. Permittee agrees to file with the Commission, under oath and in such detail as the Commission may require, such statements or reports, with respect to the energy transmitted or the facilities authorized herein, as the Commission may, from time to time, request. Such information may be made available to any Federal, State, or local agency requesting such information.

Article 8. Permittee agrees to comply promptly with any regulations or instructions affecting the facilities, or any part thereof, covered by this permit which may be issued by the President of the United States or any government department or agency of the United States for the aid and protection of aerial navigation.

Article 9. Neither this permit nor the facilities, or any part thereof, covered by this permit shall be transferable or assignable, but the permit shall continue in effect temporarily for a reasonable time thereafter in the event of the involuntary transfer of the facilities by operation of law (including such transfers to receivers, trustees,

or purchasers under foreclosure or judicial sale) pending the making of an application for a new Presidential Permit and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the facilities authorized by this permit remain substantially the same as before the transfer. The Permittee shall maintain the facilities, or any part thereof, in a condition of repair for the efficient operation of said facilities in the transmission of electric energy, and shall make all necessary renewals and replacements.

Article 10. Upon the termination, revocation, or surrender of this permit the facilities, including the supporting structures herein authorized, shall be removed within such time as the Commission may specify and at the expense of the Permittee. Upon failure of the Permittee to remove such facilities, or any portion thereof, the Commission may direct that possession of the same be taken and the facilities removed at the expense of the Permittee, and the Permittee shall have no claim for damages by reason of such possession or removal.

Article 11. The Permittee agrees that when, in the opinion of the President of the United States, evidenced by a written order addressed to it as holder of this permit, the safety of the United States demands it, the United States shall have the right to enter upon and take possession of the facilities, or any part thereof, maintained or operated under this permit, and all contracts covering the transmission of electric energy by means of said facilities, or any part thereof, to retain possession, management, and control thereof for such length of time as may appear to the President to be necessary to accomplish said purpose and then to restore possession and control to the Permittee; and, in the event that the



IN TESTIMONY OF ACCEPTANCE of all the provisions, conditions, and requirements of this permit, the Permittee this 14th day of August, 1948, has caused its name to be signed and its corporate seal to be affixed hereto and attested by Morris Sundby, its Secretary, pursuant to a resolution of its Board of Directors duly adopted on this 14th day of August, 1948, a certified copy of the record of which is attached hereto.

MARIAS RIVER ELECTRIC COOPERATIVE, INC.  
Permittee

By s/ Donald Hellinger  
President

(SEAL)

Attest s/ Morris Sundby  
Secretary

Executed in triplicate