

7-2-69
EA 44

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Commissioners: **Lee C. White, Chairman; L. J. O'Connor, Jr.,
Carl E. Bagge, John A. Carver, Jr., and
Albert B. Brooke, Jr.**

Northern Electric Cooperative Association) Docket No. E-7465

ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY
TO CANADA

(Issued July 2, 1969)

Northern Electric Cooperative Association (Applicant), incorporated under the laws of the State of Minnesota, with its principal place of business at Virginia, Minnesota, filed an application in Docket No. E-7465 on February 6, 1969, for authorization, pursuant to Section 202(e) of the Federal Power Act, to transmit electric energy from the United States to Canada in an amount not to exceed 450,000 kwh per year at a rate of transmission not to exceed 100 kw. In addition, by separate application filed in Docket No. E-7466 on February 6, 1969, Applicant requested permission, pursuant to Executive Order No. 10485, dated September 3, 1953, to construct, operate, maintain and connect at the international border between the United States and Canada certain facilities hereinafter described for the transmission of electric energy between the United States and Canada, which permission is granted by the Permit signed by the Chairman of the Federal Power Commission on July 2, 1969, and issued as hereinafter provided.

The electric energy proposed to be transmitted to Canada by Applicant will be sold by it to Lac La Croix Power Authority (Power Authority), Fort Frances, Province of Ontario, Canada, in accordance with the terms and at the rates set forth in the Agreement for Electric Service between Applicant and Power Authority, a copy of which agreement was filed as an exhibit to the application in Docket No. E-7465. Power Authority will utilize the electric energy purchase from Applicant to supply

the electric needs of an Indian Settlement. The exported energy will be delivered by Applicant to Power Authority by means of Applicants' single phase 14.4 kv, 60 cycle transmission line connecting with Power Authority's facilities at the border between the United States and Canada adjacent to Government Lot I, Section 6, Township 67 North, Range 16 West, St. Louis County, Minnesota, which transmission line is covered by and subject to the Permit signed by the Chairman of the Federal Power Commission and referred to above.

Applicant will purchase from Northern Minnesota Power Association the electric energy which Applicant proposes to export.

A written notice of the application filed in Docket No. E-7465 has been given to the Minnesota Public Service Commission and to the Governor of that State. Notice of the application has also been given by publication in the Federal Register on February 28, 1969 (34 F.R. 3642), stating that any person desiring to be heard or to make any protest with reference to the application should on or before March 14, 1969, file with the Federal Power Commission, Washington, D. C. 20426, a petition or protest in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). No petition or protest or request to be heard in opposition to the granting of the application has been received.

The Commission finds:

(1) The proposed transmission of electric energy from the United States to Canada as limited herein and as hereinafter authorized will not impair the sufficiency of electric supply within the United States and will not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Commission.

(2) The period of public notice given in this matter is reasonable.

The Commission orders:

(A) Applicant is hereby authorized to transmit electric energy from the United States to Canada in accordance with the terms and conditions set forth in the application and subject to the provisions of this order.

(B) The electric energy which Applicant is hereby authorized to transmit from the United States to Canada shall be in an amount not to exceed 450,000 kwh per year at a transmission rate not to exceed 100 kw; the energy to be transmitted over facilities specified in the aforementioned Permit signed by the Chairman of the Federal Power Commission on July 2 , 1969, Docket No. E-7466.

(C) The authorization herein granted may be modified from time to time or terminated by further order of the Commission, but in no event shall such authorization extend beyond the date of termination or expiration of the Permit signed by the Chairman of the Federal Power Commission, referred to in Paragraph (B) above.

(D) Applicant shall conduct all operations pursuant to the authorization herein granted in accordance with the provisions of the Federal Power Act and pertinent rules, regulations or orders issued by the Commission.

(E) Applicant shall provide for the installation and maintenance of adequate metering equipment to measure the flow of all electric energy transmitted from the United States to Canada pursuant to the authority herein granted; shall make, keep and preserve full and complete records with respect to the movement of such energy; and shall furnish, in triplicate, to the Commission, with respect to such transmission of electric energy, reports annually on or before February 15, showing the kwh of energy delivered, the maximum kw rate of transmission, and the consideration received therefor during each month of the preceding calendar year.

(F) This authorization to transmit electric energy from the United States to Canada shall not be transferable or assignable, but in the event of the involuntary transfer of the

facilities used for such transmission by operation of law (including such transfers to receivers, trustees, or purchasers under foreclosure or judicial sale) said authorization shall continue in effect temporarily for a reasonable time thereafter, pending the making of an application for permanent authorization and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the physical facts relating to sufficiency of supply, rates, and nature of use remain substantially the same as before the transfer.

(G) This authorization shall be without prejudice to the authority of any State or State regulatory commission for the exercise of any lawful authority vested in the State or State regulatory commission over Applicant.

(H) This authorization is without prejudice to the authority of this Commission, or any other regulatory body, with respect to rates, service, accounts, valuation, estimates or determinations of cost, or any other matter whatsoever now pending or which may come before this Commission, or any other regulatory body, and nothing herein shall be construed as an acquiescence by this Commission in any estimate or determination of cost or any valuation of property claimed or asserted.

(I) Concurrently with the issuance of this order, the Permit signed by the Chairman of the Federal Power Commission, referred to in Paragraph (B) above, shall be issued and a copy thereof transmitted by the Secretary to Applicant.

By the Commission.

(S E A L)

Gordon M. Grant,
Secretary.