

**BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION**  
**APPLICATION FOR AMENDMENT OF LICENSE**

**INITIAL STATEMENT**

1. Pacific Gas and Electric Company, hereinafter referred to as "Licensee," applies to the Federal Energy Regulatory Commission (FERC) for a license amendment for the Battle Creek Hydroelectric Project, FERC No. 1121, hereinafter referred to as "Hydroelectric Project."

2. The exact name, business address, and telephone number of the Licensee are:

Pacific Gas and Electric Company

77 Beale Street

P.O. Box 770000, N11C

San Francisco, CA 94177

Telephone: (415) 973-7000

The persons authorized to act as agents for the Licensee in this application are:

a) Mr. Randal Livingston

Vice President, Power Generation

Pacific Gas and Electric Company

P.O. Box 770000, N11E

San Francisco, CA 94177

Telephone: (415) 973-6950

b) Mr. David Kraska, Attorney  
Pacific Gas and Electric Company  
P.O. Box 7442  
San Francisco, CA 94120-7442  
Telephone: (415) 973-7503

c) Ms. Liv K. Imset, Senior License Coordinator  
Pacific Gas and Electric Company  
P.O. Box 770000, N11C  
San Francisco, CA 94177  
Telephone: (415) 973-1066

Written communications should be directed to Mr. Livingston and Mr. Kraska at the addresses specified above. Telephone communications should be directed to Ms. Imset.

3. The Licensee is a corporation of the State of California, Licensee for the water power project, designated as Project No. 1121 in the records of the Federal Energy Regulatory Commission, issued on the 13th day of August, 1976.

4. The amendment of license proposed and the reason the proposed changes are necessary are:

The amendment to the Hydroelectric Project is necessary for the implementation of the Battle Creek Steelhead and Salmon Restoration Project (Restoration Project). The Restoration Project is a voluntary partnership with state and federal agencies, non-governmental groups, and the Licensee to restore self-sustaining populations of Chinook salmon and steelhead and their habitat in the Battle Creek watershed.

In addition, on December 22, 1998, FERC issued an Order granting the Licensee's request to amend the Hydroelectric Project license to exclude the transmission lines. FERC's December 22, 1998, Order became effective on February 23, 2005. FERC staff has requested that the Licensee submit the revised exhibits A, G, J, K, and M as part of this license amendment application. Revisions to the exhibits made solely for the purpose of excluding the non-jurisdictional facilities will be so noted.

The license exhibits that are being revised by this license amendment are:

**TABLE PRS-1 SUMMARY GUIDE TO LICENSE EXHIBITS**

<b>Exhibit</b>	<b>Title</b>	<b>Comments</b>
A	Description of Project	Replaces Exhibit M
B	Statement of Project Operation and Resource Utilization	
C	Proposed Construction Schedule	
D	Statement of Costs and Financing	
E	Environmental Report—Battle Creek Salmon and Steelhead Restoration Project—Environmental Impact Statement/Environmental Impact Report	Per 18 CFR 4.34(i)(6)(iv) the Licensee is submitting the Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) as Exhibit E.
F	General Design Drawings	This exhibit includes the supporting design report and drawings for the proposed modifications.
G	Maps of the Project	Map of the Project, list of Exhibit drawings, and guide to amendments.

In addition to the Exhibits, the application for license amendment includes:

Appendix 1—Memorandum of Understanding by and among Bureau of Reclamation, National Marine Fisheries Service, U.S. Fish and Wildlife Service, California Department of Fish and Game, and Pacific Gas and Electric Company

Appendix 2—Draft Adaptive Management Plan

Appendix 3—Draft Facility Monitoring Plan

Appendix 4—Proposed License Articles

Appendix 5—Operation Effects to Anadromous Fish

5. (i) The statutory or regulatory requirements of the State of California, in which the Hydroelectric Project is located, that affect the project with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes are:
- a) *California Water Code §101*: Allows for riparian water rights.
  - b) *California Water Code §3160; Title 23 California Code of Regulations §3855*: Regulates the filing and issuance of a water quality certificate to applicants otherwise required to obtain such a certificate under federal law.
  - c) *Public Utilities Code, Division 1, §201 et seq.*: Regulates the right of a public utility to produce, generate, transmit, or furnish power to the public.
5. (ii) The steps that the Licensee has taken or plans to take to comply with each of the laws cited above are:
- a) The Licensee has acquired riparian water rights for Hydroelectric Project water.
  - b) The Licensee has filed an application for a water quality certificate with the State Water Resources Control Board in association with this license amendment application.
  - c) The Licensee has filed tariffs with the California Public Utilities Commission, which authorize it to produce, generate, transmit, or furnish power to the public.