

INITIAL STATEMENT

**BEFORE THE  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

**Brandon Road Hydropower Project**

**FERC Project No. 12717**

**APPLICATION FOR LICENSE  
FOR MAJOR PROJECT - EXISTING DAM**

**INITIAL STATEMENT**

1. Northern Illinois Hydropower, LLC (NIH or Applicant) applies to the Federal Energy Regulatory Commission (FERC) for a license for the proposed Brandon Road Hydropower Project (FERC Project No. 12717, Project) as described in the attached exhibits.

2. The location of the project is:

State or territory:	Illinois
County:	Will County
Township or nearby town:	Joliet
Stream or other body of water:	Des Plaines River

3. The exact name, business address, and telephone number of the Applicant are:

Northern Illinois Hydropower, LLC  
801 Oakland Avenue  
Joliet, IL 60435  
(815) 723-6314

The exact name and business address of each person authorized to act as agents for the Applicant in this application are:

Damon Zdunich  
Northern Illinois Hydropower, LLC  
801 Oakland Avenue  
Joliet, IL 60435  
(312) 320-1610

Dennis Cohil  
Northern Illinois Hydropower, LLC  
801 Oakland Avenue  
Joliet, IL 60435  
(815) 723-6314

4. The Applicant is a limited liability company under the laws of the State of Illinois. The Commission issued the Applicant a three-year preliminary permit for the proposed

Project, designated as Project No. 12717 in the records of the Federal Energy Regulatory Commission, on the 21st day of November, 2006. The Applicant is not claiming preference under section 7(a) of the Federal Power Act.

5. (i) The statutory or regulatory requirements of the state in which the Project would be located that affect the Project as proposed, with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting and distributing power and in any other business necessary to accomplish the purposes of the license under the Federal Power Act are:
  - a) Section 401 (a) of the Clean Water Act (CWA) requires the Applicant to apply for and receive water quality certification from the Illinois Environmental Protection Agency (IEPA) for the operation and maintenance of the hydropower facility.
  - b) Section 404 of the CWA and Section 10 of the Rivers and Harbors Act require the Applicant to apply for and receive permits for the alteration of wetlands and for the discharge of dredged or fill material into the waters of the United States from the U.S. Army Corps of Engineers (ACOE).
  - c) The Illinois Rivers, Lakes, and Streams Act, 615 ILCS 5, requires the Applicant to apply for and receive permit for construction from the IDNR and/or IEPA.
- (ii) The steps which the Applicant has taken or plans to take to comply with each of the laws cited above include:
  - a) Through the specific actions detailed in the CWA, the Applicant will complete the information requirements needed to apply to the IEPA for a water quality certificate pursuant to Section 401 of the Clean Water Act. This application is expected to be filed by fall 2009.
  - b) Through the specific actions detailed in the CWA, the Applicant will complete the information requirements needed to apply to the ACOE for

the necessary permits pursuant to Section 404 of the CWA and Section 10 of the Rivers and Harbors Act.

- c) The Applicant will apply for the required State of Illinois permits after receiving a FERC license or as directed by IDNR and IEPA in license consultations.

6. Name and address of existing owners of any existing project facilities:

There are no existing Project facilities. The dam is federally owned and is operated by the ACOE. The ACOE address is as follows.

Brandon Road Lock and Dam  
U.S. Army Corps of Engineers  
Chicago District  
111 North Canal Street, 6<sup>th</sup> Floor  
Chicago, IL 60606-7206  
Phone: (312) 846-5487

**APPLICATION FOR LICENSE  
FOR MAJOR PROJECT - EXISTING DAM**

**SUBSCRIPTION AND VERIFICATION UNDER OATH**

This application for a license for the Brandon Road Hydroelectric Project is executed in the State of Illinois, Will County.

By: Northern Illinois Hydropower, LLC  
Name: Damon Zdunich, President  
Address: 801 Oakland Avenue  
Joliet, IL 60435

being duly sworn, deposes and says that the contents of this application are true to the best of his knowledge and belief. The undersigned Applicant has signed the application this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
*Applicant Signature*

\_\_\_\_\_  
Subscribed and sworn to before me, a Notary Public of the State of Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_

Commission expires: \_\_\_\_\_