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Highlighting Safety Concerns, FERC Assesses $600k Civil Penalty for Hydro Licensee's Failure to Retain Project Property Rights

May 10, 2022 | William S. Huang, Lauren L. Springett

On April 21, FERC issued an order finding "that Ampersand Cranberry Lake Hydro, LLC . . . , licensee for the Cranberry Lake Project No. 9685 (Project), violated Article 5 of the project's license by failing to retain the possession of all project property covered by the license," and assessing a $600,000 civil penalty. The Commission states that "the record suggests that Ampersand Cranberry Lake deliberately attempted to shirk its obligations under the Project license [to undertake dam safety remediation work that proved to be more expensive than the licensee had expected] by voluntarily entering into an agreement to terminate its access to the Project property." The attached Client Alert summarizes the order and its implications for FERC hydro licensees. If you have questions about hydro license compliance, please contact us.

You can view the client alert at the link below.

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- Hydropower and Water

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