

### 7. Conclusion

For the above reasons, Whirlpool respectfully requests that the U.S. Department of Energy grant the above Amended Petition for Waiver with Interim Waiver Application. By granting the said Waivers, DOE will ensure that the efficiency of the “water use system” is accurately represented to consumers.

Whirlpool certifies that all manufacturers of domestically marketed dishwashers of the same product type have been notified and provided a copy by email letter of this Amended Petition with Application for Interim Waiver.

Thank you for your consideration.

Respectfully,

Nick Gillespie

Government Relations Manager

Whirlpool Corporation

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[ Docket No. DI13-6-000 ]

#### Browns Valley Irrigation District; Notice of Declaration of Intention and Soliciting Comments, Protests, and/or Motions To Intervene

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type*: Declaration of Intention

b. *Docket No.*: DI13-6-000

c. *Date Filed*: July 15, 2013

d. *Applicant*: Browns Valley Irrigation District

e. *Name of Project*: Tennessee Ditch Hydropower Development Project

f. *Location*: The proposed Tennessee Ditch Hydropower Development Project will be located on Tennessee Ditch, tributary to Yuba River, near the town of Browns Valley, Yuba County, California, affecting T. 017, R. 5 E, and Meridian CA21.

g. *Filed Pursuant to*: Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).

h. *Applicant Contact*: Walter Cotter, General Manager, Browns Valley Irrigation District, P.O. Box 6, Browns Valley, CA 95918; telephone: (530) 743-5703

i. *FERC Contact*: Any questions on this notice should be addressed to Jennifer Polardino, (202) 502-6437, or Email address:

[Jennifer.Polarдино@ferc.gov](mailto:Jennifer.Polarдино@ferc.gov)

j. *Deadline for filing comments, protests, and/or motions is*: 30 days

from the issuance of this notice by the Commission.

Comments, Motions to Intervene, and Protests may be filed electronically via the Internet. See 18 CFR

385.2001(a)(1)(iii) and the instructions on the Commission’s Web site under the “eFiling” link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. For more information on how to submit these types of filings, please go to the Commission’s Web site located at <http://www.ferc.gov/filing-comments.asp>.

Please include the docket number (DI13-6-000) on any comments, protests, and/or motions filed.

k. *Description of Project*: The Tennessee Ditch Hydropower Development Project will consist of: (1) An existing irrigation ditch, making usable capacity of the Virginia Ranch dam, roughly two miles from the proposed plant site; (2) utilizing water stored in the Collins Reservoir; (3) a 36-inch-diameter, 7,225-foot-long penstock, of approximately 700 feet would pass through a wildlife management area owned by the State of California and operated and managed by the California Department of Fish and Wildlife; (4) a powerhouse containing a 1-MW horizontal Francis-type turbine/generator rated at 50 cubic feet per second at 266 feet of net head; and appurtenant facilities. The project will be connected to an interstate grid.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) Would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project’s head or generating capacity, or have otherwise significantly modified the project’s pre-1935 design or operation.

l. *Locations of the Application*: Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the web at <http://www.ferc.gov> using the “eLibrary” link. Enter the Docket number excluding the last three digits in

the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email [FERCOLineSupport@ferc.gov](mailto:FERCOLineSupport@ferc.gov) for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission’s mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene*— Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission’s Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents*—All filings must bear in all capital letters the title “COMMENTS”, “PROTESTS”, AND/OR “MOTIONS TO INTERVENE”, as applicable, and the Docket Number of the particular application to which the filing refers. A copy of any Motion to Intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency’s comments must also be sent to the Applicant’s representatives.

Dated: August 5, 2013.

**Kimberly D. Bose,**

Secretary.

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