

Mendocino Wave Energy – How to Intervene

An application for a Mendocino Wave Energy development project has been filed by Green Wave Energy Solutions, LLC. Green Wave wants to put 10 to 100 wave energy devices in 17 square miles of ocean, between 0.5 and 2.6 miles offshore, running roughly north and south between the Navarro River and Point Cabrillo on the Mendocino coast of California.

On December 9, 2008, the Federal Energy Regulatory Commission (FERC) began the permit process for the project by issuing a “Notice of Preliminary Permit Applications Accepted for Filing and Soliciting Comment, Motions to Intervene, and Competing Applications.”

The law provides that interested individuals and organizations may become parties to the permit process. In order to become a party, you and/or your organization(s) must file a “Motion to Intervene.” The deadline for intervening in the Green Wave Project is Monday, February 9, 2009 by 2:00 p.m. PST.

You may intervene no matter what your current views are on the merits of wave energy. Intervention gives you a place at the table as a full party to the permit process. It also enables you to appeal future FERC rulings with respect to the permit.

Intervening is easy to do and you do not have to be a lawyer to do it. It is suggested to file your response online at FERC’s a web site.

Here’s how to do it:

First, prepare a document on your computer’s word processor (Microsoft Word is the most common file format, and can be directly uploaded to FERC’s Web site). The file name that you give your document must have less than 60 characters, and must contain no spaces.

Title your document “Motion to Intervene in FERC Docket No. P-13053, Green Wave Mendocino Wave Park Project.” Under the title, put the date, and the name, address, telephone number, and e-mail of the individual(s) and/or organization(s) filing the motion.

In the body of the document, you must state two things: 1) your position (to the extent you know it) on wave energy, and the basis for it; and 2) your interest in wave energy, in sufficient factual detail to demonstrate that you have, or represent, an interest that may be directly affected by the outcome of the proceeding (including your interest as a consumer, customer, competitor, or security holder of a party), or that your participation is in the public interest.

If you feel that you do not currently have enough information to state your position on wave energy, you may simply say so, and say that you are awaiting development of further information before formulating your position. You will still need to state what your interest is (see (2) above).

After completing your motion, go to FERC’s Web site at HYPERLINK "<http://www.ferc.gov>" www.ferc.gov. Click the “Documents & Filings” link, then click “e-Registration.” Follow the instructions to sign on as a new user. When you have completed this process, FERC will send you a “New User Validation E-mail.”

Now you are ready to file your motion to intervene. Again go to HYPERLINK "<http://www.ferc.gov>" www.ferc.gov, and click on the “Documents & Filings” link. Then click on “eFiling,” and follow the instructions on the screen to file your motion to intervene. For paper filing, send the original and eight copies of your motion to Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington D.C. 20426.

If you file your motion to intervene by the Monday, February 9, 2009 at 2:00 p.m. PST deadline, and no one opposes your intervention, you automatically become a party after 15 days.