

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
April 30, 2008

OFFICE OF ENERGY PROJECTS

Project No. 12707-001—Utah & Idaho
Hook Canyon Pump Storage Project
Hook Canyon Energy, LLC

Brent L. Smith, COO
Symbiotics, LLC
P.O. Box 535
Rigby, ID 83442

Re: Rights to Develop Hydropower Project

Dear Mr. Smith:

On April 28, 2008, the Utah Division of State Parks and Recreation (Utah State Parks) filed a letter indicating that it will no longer negotiate with you to provide an easement to occupy state park lands for the proposed Hook Canyon Pump Storage Project. Without an easement or other rights to occupy state park lands, it appears you cannot construct your proposed project.¹

I am holding your Integrated Licensing Process (ILP) for this project in abeyance effective immediately. Section 5.9(a) requires stakeholders to file comments and study requests by May 13, 2008, for this project. I am waiving section 5.9(a) of the Commissions regulations. Stakeholders do not need to file these documents while the ILP for this project is held in abeyance. Should we reinstate this proceeding, stakeholders will be given ample time to file comments and study requests.

Please file documentation within 10 days from the date of this letter that you can acquire fee title or other rights to use Utah State Park lands that would be included within the proposed project boundary. Please file an original and eight copies of any documentation with: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

¹ Section 21 of the Federal Power Act states, in pertinent part, that no licensee may use the right of eminent domain provided in section 21 to acquire any lands or other property that, prior to October 24, 1992, were owned by a State or political subdivision thereof and were part of or included within any public park, recreation area, or wildlife refuge established under State or local law.

If you have any questions regarding this matter, please contact Steve Hocking at steve.hocking@ferc.gov or (202) 502-8753.

Sincerely,

J. Mark Robinson
Director
Office of Energy Projects

cc: Utah Division of Parks and Recreation
P.O. Box 146001
Salt Lake City, UT 84114

Public Files