

# BOYCE HYDRO POWER LLC

A W.D. Boyce Trusts Legacy Enterprise

Lee W. Mueller, Member Manager  
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24 August, 2020

Mr. John Zygaj, P.E., Regional Engineer  
Chicago Regional Office of the Federal Energy Regulatory Commission  
230 South Dearborn Street, Suite 3130  
Chicago, Illinois 60604  
Phone: (312) 596-4430 Fax: (312) 596-4460

RE: 12.10 Incident Report Re May 19, 2020 Flood and Breach of Sanford Dam  
Secord Project (P-10809), Smallwood Project (P-10810), and Sanford Project (P-2785)

Mr. Zygaj: In response to your letter dated August 19, 2020, Boyce Hydro Power, LLC is requesting additional time to address the issues in your letter and enclosure.

It should be noted that the deadline stated, September 15, 2020, is only 18 business days from the date of your letter. That is important for several reasons, not the least of which is due to the fact that the professionals who must be engaged to answer the myriad questions in your letter only work during business days.

The other circumstance which has a direct bearing on Boyce Hydro Power, LLC's ability to answer all the items in your letter is the ability of the company to financially compensate the professionals whose input will be required. As you know, Boyce Hydro Power, LLC has zero income since FERC has ordered Secord and Smallwood reservoirs to be lowered. More importantly, the company has filed for Chapter 11 bankruptcy. As such, any money that is available for the operations of the company that isn't already in a pre-determined budget must be approved by the court. Therefore, the amount of time required to answer must be expanded by the time it will take to:

- Inquire with professional consultants as to the cost of their work to address the items in the letter, and assuming these estimates are within the total of funds available to Boyce Hydro Power, then
- Present the cost estimates to the court for approval, which requires spending more money on attorneys representing the company.

This cannot reasonably be expected to be completed by September 15, much less the engineering responses themselves.

Therefore, Boyce Hydro Power, LLC respectfully requests an Extension of Time to October 30, 2020 to complete the response to your letter.

Sincerely,



Lee W. Mueller  
Member Manager  
Boyce Hydro Power, LLC

LWM/mgm  
Encl.

Document Content(s)

2020-08-24 EOT req to FERC-CRO re Incident report.PDF.....1-1