

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Peabody Trout Creek Reservoir LLC

Project No. 14446-001

NOTICE GRANTING LATE INTERVENTION

(February 28, 2013)

On December 4, 2012, the Commission issued a *Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Competing Applications* for Peabody Trout Creek Reservoir LLC's Peabody Trout Creek Reservoir Hydroelectric Project No. 14446, to be located on Trout Creek, near Steamboat Springs, Routt County, Colorado. The notice established February 4, 2013, as the deadline to file motions to intervene.¹

On February 11, 2013, the Upper Yampa Water Conservancy District filed a late motion to intervene in the proceeding. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure,² the late motion to intervene is granted, subject to the Commission's Rules and Regulations.

Kimberly D. Bose,
Secretary.

¹ The Commission's Rules of Practice and Procedure provide that, if a filing deadline falls on a Saturday, Sunday, holiday, or other day when the Commission is not open for business, the filing deadline does not end until the close of business on the next business day. 18 C.F.R. § 385.2007(a)(2) (2012). The filing deadline was 60 days from issuance of the notice (i.e., February 2, 2013), which fell on a Saturday, thus the filing deadline was the close of business Monday, February 4, 2013.

² 18 C.F.R. § 385.214 (2012).