



**Federal Energy Regulatory Commission
December 20, 2007
Open Commission Meeting
Statement of
Commissioner Marc Spitzer**

Item H-1, AquaEnergy Group Ltd. (Docket No. P-12751-000)

"This is one of the most significant matters to come before us during my tenure at the FERC. The Makah Bay pilot project is both symbolic and substantive. Today's action is a first, careful and yet bold step towards the future of renewable energy. So, the future is now.

I would like to thank not only the developer, but all of those who intervened and provided comments, including Federal, Washington State and Tribal governmental entities, individuals and non-governmental associations. Along with Staff, they improved the quality of this Order.

This Order balances the benefits of a renewable energy pilot project with the protection of a host of critical environmental interests. Indeed, at least eight Federal and State statutes are recognized in the Order, as well as obligations of the United States under a treaty with a sovereign Tribe. The Order also recites the obligations of the Developer to minimize, and perhaps totally eliminate, adverse impacts on the environment and commercial fishing interests. The Commission's review of those potential impacts has been thorough, none have been neglected, and we have not permitted the benefits of the project to obscure the need for the utmost regard for a unique ecosystem.

The Commission believes hydrokinetics will play an essential role in providing reliable electricity to U.S. consumers, in concert with the public policies underlying state renewable energy standards. While we believe the Makah Bay project holds great promise, we carefully considered all aspects of its construction and operation, and imposed prudent, careful conditions to ensure compliance with the Federal Power Act.

I, therefore, proudly support this Order."