



FEDERAL ENERGY REGULATORY COMMISSION

Date March 20, 2008
Docket No. P-12751-000
Item No. H-2

Commissioner Marc Spitzer

**Statement of
Commissioner Marc Spitzer
on
Finavera Renewables Ocean Energy, Ltd.**

"Today the Commission issues its rehearing order concerning the Makah Bay Project. I continue to support this project because I believe this is a bold step toward the future of renewable energy.

Consistent with its strategy outlined in its Policy Statement on Conditional Licenses for Hydrokinetic Projects, on December 21, 2007, the Commission issued a conditional license to Finavera that made final Commission approval of on-site construction and installation contingent on Finavera receiving all authorizations required under federal law. The Commission did so prior to the Washington State Department of Ecology issuance of a water quality certification pursuant to section 401 of the Clean Water Act or consistency determination under the Coastal Zone Management Act. Nevertheless, on February 25, 2008, Ecology filed its CZMA consistency concurrence, along with a water quality certification that contains a number of water quality conditions. The Commission has amended the license to include the water quality certification conditions as conditions of Finavera's license. I thank the Washington state agencies for expediting their review of these matters consistent with the goals we set out in our Conditional Policy Statement.

I believe that 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.

I therefore proudly support this order."

