



# FEDERAL ENERGY REGULATORY COMMISSION

March 20, 2008  
Finavera Renewables Ocean Energy, Ltd.  
Docket No. P-12751-000

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## **FERC Allows Wave Power Project to Move Forward**

The Federal Energy Regulatory Commission (FERC) today addressed rehearing requests associated with its Dec. 21, 2007, order issuing a license to Finavera Renewables Ocean Energy, Ltd. (Finavera), for the 1-megawatt Makah Bay Offshore Wave Pilot Project in the Pacific Ocean offshore Waatch Point in Clallam County, Washington.

The FERC order also recognizes that Finavera has received all necessary permits and authorizations from other federal and state agencies and therefore can begin the construction process.

### **Background**

FERC issued the license to Finavera with the requirement that the company obtain any necessary authorizations required under federal law before beginning construction.

### **The Order**

Rehearing requests addressing the December 2007 order were filed by Washington State Department of Natural Resources (DNR), the Makah Tribe, and Washington State Department of Ecology.

The Washington State Department of Ecology argues that FERC cannot issue a license before the applicant obtains necessary state permits and authorizations. In today's order, FERC says this point is moot since the state issued the necessary permits Feb. 25, 2008. FERC also says that a conditioned license does not authorize on-site construction or installation, and "expressly stated that no such authority would be granted until Finavera obtained all necessary authorizations."

The Makah Tribe and DNR expressed concerns about mandatory conditioning authority of the Sanctuary Program Group. FERC found that the Sanctuary Program Group does not have mandatory conditioning authority, yet FERC chose to generally adopt the recommended measures that came from the Sanctuary Program Group.

