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Linda E. McMahon,
Secretary of Education.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3457–002]

French Broad Electric Membership Corporation; Notice of Application for Surrender of Exemption Accepted for Filing, Soliciting Comments, Motions to Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Application Type*: Surrender of Exemption.
- b. *Project No*: 3457–002.
- c. *Date Filed*: August 25, 2026.
- d. *Applicant*: French Broad Electric Membership Corporation.
- e. *Name of Project*: Capitola Hydroelectric Project.
- f. *Location*: The project is located on the French Broad River in the town of Marshall, Madison County, North Carolina. The project does not occupy federal lands.
- g. *Filed Pursuant to*: Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2705, 2708.
- h. *Applicant Contact*: Nathan Huff, 3043 NC HWY 213, P.O. Box 9, Marshall, NC 28753, (828) 649–2051, nathan.huff@frenchbroademc.com.
- i. *FERC Contact*: Maryam Akhavan, (202) 502–6110, Maryam.Akhavan@ferc.gov
- j. *Cooperating agencies*: With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. See 94 FERC ¶ 61,076 (2001).

k. *Deadline for filing comments, motions to intervene, and protests*: October 23, 2026 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P–3457–002. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

l. *Description of Request*: The exemptee proposes to surrender its exemption from licensing due to catastrophic damage sustained during the flooding caused by Hurricane Helene in September 2024. The exemptee has determined that rehabilitation of the facility is not economically feasible. Accordingly, the exemptee intends to surrender the exemption, and the decommissioning plan is limited to permanently retiring the electrical and mechanical systems within the powerhouse and disconnecting the project from the distribution system. No in-water work or ground-disturbing activities are proposed.

m. *Locations of the Application*: This filing may be viewed on the Commission's website at <http://www.ferc.gov>

www.ferc.gov using the “eLibrary” link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Protests, or Motions to Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

p. *Filing and Service of Documents*: Any filing must (1) bear in all capital letters the title “COMMENTS”, “PROTEST”, or “MOTION TO INTERVENE” as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; and (3) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

q. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or OPP@ferc.gov.

(Authority: 18 CFR 2.1)

Dated: September 23, 2026.

Debbie-Anne A. Reese,
Secretary.

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