

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Pacific Gas and Electric Company
Potter Valley Hydroelectric Project
Project No. P-77-332

**MOTION FOR LATE INTERVENTION OF INFRASTRUK GROUP LLC
AND NOTICE OF CONTINUED OPERATION AND SUCCESSOR
LICENSEE ALTERNATIVE**

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission" or "FERC"), including 18 C.F.R. § 385.214(b) and (d), INFRASTRUK GROUP LLC ("Movant") respectfully moves for leave to intervene out of time in the above-captioned proceeding concerning Pacific Gas and Electric Company's ("PG&E") application to surrender and decommission the Potter Valley Hydroelectric Project, FERC Project No. 77 ("Potter Valley Project" or "Project").

This Motion is prompted, and legally justified, in substantial part by the Commission's May 22, 2026, commencement of the environmental scoping process and the Commission's request for information concerning possible alternatives to PG&E's proposed surrender and decommissioning.

Movant seeks intervention for the specific purpose of presenting, developing, and preserving for Commission consideration a fundamentally different alternative:

**CONTINUED OPERATION AND SUCCESSOR LICENSEE
ALTERNATIVE — POTTER VALLEY HYDROELECTRIC PROJECT,
FERC PROJECT NO. 77-332**

Under this alternative, rather than permanently surrendering the federal license and irreversibly removing or destroying Project works, a qualified successor entity would seek to acquire and/or assume the Project interests necessary for continued operation, obtain Commission approval of a transfer or other appropriate authorization, and repair, rehabilitate, replace, modernize, operate, maintain, and finance the Project facilities necessary to continue providing the historic public benefits and services associated with the Project, subject to all applicable federal and state requirements.

Movant therefore respectfully requests that:

The Commission does not authorize irreversible surrender, removal, demolition, or destruction of Project facilities until the Commission has adequately considered whether continued operation by a qualified successor licensee constitutes a reasonable and practicable alternative.

I. THE PROCEEDING

On July 25, 2025, PG&E filed an application seeking surrender and decommissioning of the Potter Valley Hydroelectric Project.

The Project is located on the Eel River and East Fork of the Russian River in Lake and Mendocino Counties, California, and includes Project lands under federal jurisdiction.

The Commission subsequently established a period for intervention concerning PG&E's surrender application.

After that intervention period, however, the Commission initiated a significant additional stage of this proceeding.

On May 22, 2026, FERC issued its Notice of Scoping Meetings and Environmental Site Review and Soliciting Scoping Comments concerning PG&E's proposed surrender, decommissioning, and non-project use of Project lands.

The Commission has stated that it will prepare an environmental document pursuant to the National Environmental Policy Act ("NEPA") that will be used in the Commission's decision-making process.

Of particular importance to this Motion, the Commission has expressly stated that the environmental review will consider reasonable alternatives and has solicited public information concerning possible alternatives, potential impacts, research, analyses, and effects on the quality of the human environment.

The Commission has established July 24, 2026, as the deadline for scoping comments.

The commencement of this alternatives-focused environmental review materially changes and clarifies the issues now before the Commission and provides good cause for Movant's intervention at this stage.

II. INTEREST OF MOVANT

INFRASTRUK GROUP LLC ("Movant") is a Delaware limited liability company headquartered in California, with branch operations throughout the Western USA and globally. The company conducts research, development, ownership, operation and maintenance of integrated water, wastewater, stormwater, hydropower, energy, data infrastructure, artificial intelligence (AI), battery storage, sensor, robotics, unmanned aerial systems (drone), and STEM education technologies serving the agricultural, oil and gas, residential, municipal, commercial, industrial, critical minerals, defense, and advanced manufacturing sectors.

The principals of the company collectively possess more than fifty (50) years of professional award winning, Presidential project dedication, experience in the planning, design, development, construction, financing, operation, and management of water supply, wastewater management, stormwater management, hydropower generation, conventional and renewable electric generation, transmission and distribution systems, conventional and un-conventional oil/gas and related infrastructure projects. This experience includes low-head and high-head hydroelectric generation and distribution, FERC licensing, Bureau of Reclamation hydro-power dam re-purposing, long distance multi-state energy distribution of seasonal surplus energy generation by gird enhancements from the Midwest to the west, and also water resource development, water

reuse, and integrated energy systems with heavy dependence upon, and development of, data and related AI systems.

INFRASTRUK GROUP LLC's principal business purpose is the development and deployment of advanced technologies and infrastructure that increase reliable water supplies, improve wastewater and stormwater management, expand renewable and conventional energy generation, enhance water quality through advanced water "renovation" to ultra-pure and water reuse, and support modern data infrastructure and high-performance computing facilities. The company's technology platform includes its proprietary **Water LifeCycle Project (WLP)** and **Rapid Deployable Mobile Platform (RDMP)** concepts, which integrate mobile and fixed base modular water treatment, energy, and related infrastructure to renovate wastewater and other impaired water resources into ultra-pure water or other regulatory-approved water qualities suitable for beneficial reuse such as agriculture, oil/gas, municipal, commercial and industrial.

Because the Potter Valley Dam Project involves the continued management, transfer, modification, and potential future use of significant water and hydroelectric infrastructure that directly affects California's water resources, hydropower generation, environmental stewardship, and regional economic development, Movant has a direct and substantial professional, technical, economic, and public-interest interest in this proceeding. Movant's expertise in integrated water resource management, hydropower systems, water reuse, Data/AI and related infrastructure provides a unique technical perspective that may assist the Commission in evaluating the public-interest considerations associated with the proposed license assignment and any future disposition of the Potter Valley Project to an alternative proposed project ownership entity including a new Public-Private-Partnership (PPP) formed by a new local Joint Powers Authority (JPA) and a private operational entity.

Movant has a direct and substantial interest in evaluating and, if demonstrated feasible, developing a successor-licensee alternative under which the Potter Valley Project would remain an operating infrastructure asset rather than being irreversibly dismantled.

Movant's interests include the continued availability and beneficial use of existing water-supply, water-conveyance, hydroelectric, storage, environmental-management and related infrastructure; preservation of potentially valuable existing public-serving infrastructure; protection of communities and customers historically affected by Project operations; and evaluation of whether the Project can be rehabilitated and operated by a technically and financially qualified successor.

Movant is prepared to investigate the engineering, financial, regulatory, environmental, water-supply, dam-safety, operational, property, and institutional requirements necessary to determine whether such continued operation is practicable.

Movant recognizes that any successor would be required to demonstrate to the Commission its legal, technical, operational, and financial qualifications and to comply with the Federal Power Act, the existing or subsequently modified license requirements, Commission dam-safety requirements, applicable environmental requirements, and other applicable federal and state law.

Movant does not request through this Motion that the Commission summarily transfer the existing license to Movant.

Rather, Movant seeks party status so that it may participate meaningfully in determining whether it or another qualified-successor alternative exists and whether irreversible surrender and destruction should occur before that alternative has been adequately evaluated.

III. GOOD CAUSE EXISTS FOR LATE INTERVENTION

Rule 214(b)(3) requires an untimely movant to demonstrate good cause for waiver of the intervention deadline. Rule 214(d) permits the Commission to consider, among other things, good cause, potential disruption of the proceeding, whether the movant's interests are adequately represented, prejudice or burden upon existing parties, and compliance with Rule 214's substantive requirements.

Those considerations strongly favor intervention here.

A. Material information and a distinct procedural opportunity arose after the original intervention deadline.

The Commission's May 22, 2026, Scoping Notice commenced an environmental-review phase that expressly invites consideration of possible alternatives and provides that the Commission's NEPA document will consider reasonable alternatives.

That development is directly relevant to Movant's reason for participating.

Movant does not seek intervention merely to repeat objections that reasonably could have been presented during the original intervention period.

Movant seeks to develop a specific alternative to the irreversible disposition of the Project: continued operation through a qualified successor licensee capable of rehabilitating and operating the facilities.

The Commission's subsequent solicitation of possible alternatives materially sharpened the relevance and procedural importance of that proposal.

The good-cause inquiry should therefore take account of the fact that the Commission itself has opened an alternatives-focused phase of the proceeding after the original intervention deadline.

B. Intervention will not disrupt the proceeding.

The Commission's environmental review remains underway.

Scoping comments are not due until July 24, 2026. The Commission has not completed its environmental document or issued a final decision authorizing surrender and decommissioning.

Movant is prepared to accept the record as it presently exists and does not request reopening of prior procedural deadlines merely because intervention is granted.

Movant seeks to participate prospectively in the environmental, licensing, surrender, transfer, and related proceedings relevant to the continued-operation alternative.

Granting intervention at this stage therefore should not materially delay or disrupt the Commission's existing schedule.

C. Movant's specific interest is not adequately represented by other parties.

Movant's interest is distinct.

Movant seeks to determine whether a qualified successor entity can preserve, rehabilitate, finance, operate, and maintain the Project rather than permanently eliminating the existing licensed infrastructure.

The interests of PG&E, governmental agencies, environmental organizations, water users, local governments, and other existing participants may overlap with portions of Movant's concerns, but none necessarily represents Movant's specific interest in developing and potentially implementing a successor-licensee/continued-operation alternative.

Accordingly, Movant's interest should not be presumed to be adequately represented by existing parties.

D. Intervention will not unfairly prejudice existing parties.

Movant accepts the proceeding in its present posture.

Movant does not seek through this Motion to invalidate completed procedural steps or require the Commission or existing parties to repeat proceedings already conducted.

Instead, Movant seeks participation while the Commission is actively evaluating the environmental consequences and reasonable alternatives associated with PG&E's proposed surrender.

Any existing party will retain the opportunity under the Commission's rules to respond to substantive proposals made by Movant.

There therefore should be no unfair prejudice from granting intervention.

IV. THE COMMISSION SHOULD CONSIDER A CONTINUED OPERATION AND SUCCESSOR LICENSEE ALTERNATIVE

PG&E's desire to cease operating the Potter Valley Project does not, standing alone, establish that destruction of Project infrastructure is necessarily the only reasonable ultimate disposition of the Project.

There is an important analytical distinction between:

1. PG&E no longer wishing to own or operate the Project; and
2. the Project being incapable of continued beneficial operation by another qualified entity.

Those are separate questions.

The Commission should determine whether a qualified successor could feasibly assume responsibility for some or all of the Project and undertake the capital improvements necessary to bring the Project into compliance with modern dam-safety, environmental, operational, and reliability requirements.

The alternative should include consideration, as appropriate, of:

- transfer or other lawful succession to the existing FERC license;
- acquisition or transfer of the necessary Project property and contractual interests;
- repair, rehabilitation, modernization, or replacement of Project works where required;
- continued operation and maintenance of water storage and conveyance infrastructure;
- continued water deliveries and diversions historically associated with the Project to the extent legally and physically permissible;
- continued or modernized hydroelectric generation where technically and economically practicable;
- dam-safety improvements;
- fish passage and aquatic-resource protection;
- minimum flows and other environmental requirements;
- water quality;
- wildfire and emergency-management considerations;
- tribal interests and cultural resources;
- federal land requirements;
- water rights and water-supply reliability;
- climate resilience;
- financing and financial assurance;
- long-term operations and maintenance funding; and
- decommissioning security or other financial assurances that the Commission may determine appropriate.

This alternative need not assume that every existing component would remain unchanged.

A successor could repair, replace, redesign, modernize, or reconfigure facilities where necessary.

The central question is whether the existing Project's functions and infrastructure can practicably be preserved and modernized rather than irreversibly eliminated.

V. IRREVERSIBILITY WARRANTS CAREFUL CONSIDERATION BEFORE DESTRUCTION IS AUTHORIZED

The distinction between the alternatives is particularly consequential because surrender followed by removal of major Project works may be effectively irreversible.

Once dams, diversion works, tunnels, power facilities, water-conveyance infrastructure, access facilities, or related Project works are demolished or materially altered, recreating the historic Project configuration could require new licensing, permitting, environmental review, financing, construction, land rights, water rights, and substantial capital investment.

Accordingly, the Commission should distinguish between actions that preserve future options and actions that permanently eliminate them.

Maintaining an existing Project while a bona fide successor alternative is evaluated preserves Commission options.

Irreversible demolition does not.

For that reason, Movant respectfully submits that the prudent public-interest course is:

Do not authorize irreversible surrender and destruction until the Commission has adequately considered whether continued operation by a qualified successor licensee constitutes a reasonable and practicable alternative.

VI. LICENSE TRANSFER PROVIDES AN EXISTING REGULATORY MECHANISM

The Commission's regulations provide a mechanism for transferring an existing hydroelectric license, subject to Commission approval and satisfaction of the applicable regulatory requirements.

Movant recognizes that a conventional transfer requires appropriate participation by the existing licensee and proposed transferee and that Commission approval depends upon the qualifications of the transferee and other applicable requirements.

Movant therefore does not contend that intervention alone entitles it or another entity to receive PG&E's license.

The existence of the Commission's established license-transfer process nevertheless demonstrates that succession from an existing hydroelectric licensee to another qualified operator is a recognized regulatory mechanism.

The relevant question in this proceeding should therefore include whether that mechanism—or another lawful licensing structure identified by the Commission—could provide a practicable alternative to irreversible decommissioning.

VII. PUBLIC INTEREST

Consideration of the successor-licensee alternative serves the public interest.

The Potter Valley Project has existed for many generations spanning over a century and has become interconnected with water supplies, agriculture, communities, ecosystems, energy infrastructure, land uses, and regional economic activity.

The Commission need not prejudge whether continued operation ultimately proves preferable to decommissioning.

It should, however, ensure that the comparison is made before the physical ability to choose continued operation is permanently eliminated.

A rigorous alternatives analysis would allow the Commission to compare, on an equivalent evidentiary basis:

PG&E's Proposed Alternative:

License surrender → decommissioning → removal of Project works → environmental restoration and proposed non-project uses.

Compared with:

Continued Operation and Successor Licensee Alternative:

Qualified successor → Commission-approved licensing/transfer mechanism → acquisition of necessary Project interests → rehabilitation/replacement/modernization → continued operation and maintenance → continued provision of feasible water-supply and hydroelectric/public benefits → modern environmental and dam-safety compliance.

Such a comparison would provide the Commission, affected communities, water users, agencies, tribes, and other stakeholders with a more complete record upon which to evaluate the long-term consequences of the decision.

VIII. REQUEST FOR RELIEF

For the foregoing reasons, Infrastruk Group LLC respectfully requests that the Commission:

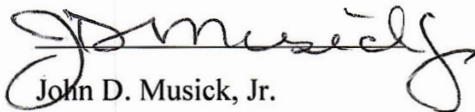
1. Find good cause under 18 C.F.R. § 385.214(b)(3) and (d) for the filing of this Motion after the original intervention deadline;
2. Grant Infrastruk Group LLC party status as a late intervenor in Project No. P-77-332;
3. Accept Movant's participation subject to the existing record and procedural schedule so as to avoid unnecessary delay;
4. Recognize for evaluation in the Commission's environmental review the **"Continued Operation and Successor Licensee Alternative — Potter Valley Hydroelectric Project, FERC Project No. 77-332"**;
5. Evaluate whether continued operation by a technically, financially, and legally qualified successor could constitute a reasonable and practicable alternative to PG&E's proposed surrender and decommissioning;
6. Evaluate rehabilitation, replacement, modernization, or reconfiguration of existing Project facilities as appropriate rather than limiting the analysis to a binary choice between existing PG&E operation and demolition;
7. Consider the consequences of permanently eliminating existing water-supply, water-conveyance, hydroelectric, storage, and associated infrastructure before determining whether a qualified successor can feasibly preserve those functions;
8. Refrain from authorizing irreversible surrender, demolition, destruction, or removal of material Project works until the Commission has adequately considered the continued-operation/successor-licensee alternative;
9. Permit the service of the foregoing Motion to Intervene to be served in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure upon each person designated on the official service list compiled by the Secretary in this proceeding by

automatic electronic means where available, and by first-class U.S. Mail or other authorized means where electronic service is unavailable (with all current parties to be served as represented to me by the FERC filing system to be as shown on APPENDIX A below);

10. Require all responses to the foregoing Motion to Intervene by the FERC and related agency or governmental personnel to be to jm@infrastrugroup.com, and require all responses to the foregoing Motion to Intervene by such other served parties shown on APPENDIX A below to be by email only to the following special designated email address to properly manage the potential large volume of responses at: jdm_jr@msn.com, and

11. Grant such other relief as the Commission determines appropriate.

Respectfully submitted,



EVP and General Counsel

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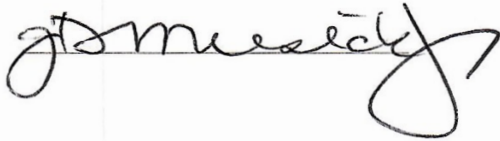
Dated: July 22, 2026

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing Motion to Intervene to be served in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure upon each person designated on the official service list compiled by the Secretary in this proceeding by electronic means where available, and by first-class U.S. Mail or other authorized means where electronic service is unavailable (with all current parties to be served as represented to me by the FERC filing system to be as shown on APPENDIX A below.

Dated: July 22, 2026

John D. Musick, Jr.

A handwritten signature in black ink, appearing to read "J.D. Musick, Jr.", with a large, stylized flourish at the end.

APPENDIX A

OFFICIAL DESIGNATED SERVICE LIST

Prepared from the Secretary's designated service list provided to the Movant from
<https://ferconline.ferc.gov/ServiceListResults.aspx>

	Primary Person or Counsel of Record to be Served	Other Contact to be Served
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DUMAINE, JONAS AND MCADAMS, KATHLEEN	**KATHLEEN MCADAMS Contact/Addr No Longer Valid DUMAINE, JONAS AND MCADAMS, KATHLEEN UNITED STATES	**JONAS DUMAINE Contact/Addr No Longer Valid DUMAINE, JONAS AND MCADAMS, KATHLEEN Mendocino
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