

FERC Denies Another Late Attempt to Disrupt its Review of the PG&E License Surrender, Following its Most Recent Denial of a Southern California Water District to Enter Potter Valley Proceeding

IWPC urges continued focus on the locally-developed water supply solution already moving forward

(Ukiah, CA – August 13, 2026) The Federal Energy Regulatory Commission (FERC) has denied two late requests to intervene as formal parties in PG&E's Potter Valley Project license surrender proceeding – one by Elsinore Valley Municipal Water District, and one by Infrastruk Group LLC, a company based out of Southern California and Spain. The denials by FERC allow the federal process to continue without adding an outside district or company that has no established role in the Eel or Russian river watersheds.

Elsinore Valley, a Southern California water district located hundreds of miles from the affected communities, submitted its request more than eight months after the intervention deadline. Its effort to enter the proceeding has created confusion and diverted attention from the critical work already underway to protect future water supplies.

“Our region should control its own water future,” said Mari Rodin, IWPC Commissioner and City of Ukiah Councilmember. “Water supply infrastructure this important should be governed by the Northern California communities that depend on it, not by an outside district located hundreds of miles away with different constituents, different priorities, an interest in profit, and no established role in our watersheds.”

Similarly, Infrastruk submitted its own request at least seven months past the intervention deadline, and seven years past the deadline for potential successor applicants, with little demonstration of its understanding of the situation and no real explanation of how the company could offer an alternative to PG&E's License Surrender process. Its position was unsupported by the law or facts, and it did not show an understanding of local needs or the factual, operational, financial, or legal environments of the Potter Valley Project or PG&E's Surrender.

Following opposition from various partners to the Two Basin Solution, FERC denied the requests to intervene late. FERC's decision prevents Elsinore Valley and Infrastruk from gaining the formal party status they sought at this stage of the proceeding.

FERC's rules require that applicants must show factual basis for their position, demonstrate sufficient interest directly affected by the outcome of the proceeding, or show

that its participation is in the public interest. FERC concluded that Infrastruk's motion simply failed to meet these minimum standards.

Northern California agencies, Tribes, local governments and environmental partners have spent years developing the Two-Basin Solution and the multi-party Water Diversion Agreement. They have outlined a practical path to support two essential goals: restoration of the Eel River and continued water diversions into the Russian River watershed after PG&E decommissions the Potter Valley Project. The region created the Eel-Russian Project Authority (ERPA), a locally governed agency formed to design, own and operate the New Eel-Russian Facility (NERF). Design and permitting are moving forward in order to put the NERF in place as quickly as possible to maintain water diversions.

Elsinore Valley Municipal Water District has not demonstrated that its ideas or involvement are technically, legally or financially workable – or how its role would avoid long term harm to the region. And Infrastruk failed to sufficiently articulate its role in any sort of viable alternative. These attempts to get involved have nevertheless encouraged unrealistic expectations that PG&E's decommissioning decision can simply be reversed and has pulled attention away from work that must remain on schedule.

"It is not within our control to reverse PG&E's decision to decommission the Potter Valley Project," said Dave Koball, Commissioner for Mendocino County IWPC. "Our responsibility is to stay focused on securing a reliable water supply through actions we can control and deliver. That means protecting our ability to divert water, constructing the new diversion facility, and developing the storage capacity needed to make effective use of that water."

IWPC supports and agrees with FERC's recent orders denying Elsinore Valley and Infrastruk late intervention in the license surrender process. IWPC urges federal agencies and PG&E to move forward with all necessary next steps so that the region can be ready with a new diversion facility, secured water rights, and the necessary storage capacity to support long term water sustainability after the Potter Valley Project infrastructure is removed.

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