

ORIGINAL

Dec. 8, 2008

To: FEDERAL ENERGY REGULATORY COMMISSION

SUBJECT: TOLEDO BEND RELICENSING # P-2305

To start off with let me state that I am not against the re-licensing for Hydroelectric sales for the Sabine River Authority's of Texas and Louisiana. I do however think that there should be some guidelines set before the re-licensing is granted. As the FERC already knows anytime a dam is installed on any river several things will occur so let us speak on the two most important things that effects everyone one is the Down Stream Flow the other is the natural silting that flows down the river.

Before a Dam is installed on a river there has been built into the system a means of checks and balances for the river to form itself by being able to change its path as needed it does this by placing its silt in low places and carrying the silt down to the mouth of the river where the oceans then pick it up and rebuilds our shore lines once a Dam is installed this natural process is altered and no longer exists.

The normal silting must now go some where but it has but one thing to do. That is to deposit its silt into the new formed reservoir so as we have all learnt over the years across the United States and around the world this must be figured into the up keep of the reservoir or over time we will start losing the ability to be able to generate power and we will start losing our shore line as the river tries to regain its control.

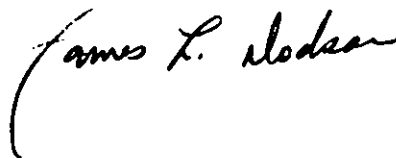
As everyone knows during the original Licensing the generating of power could be done down to the 165msl. But over time due to this silting problem the SRA of Louisiana has had to go back and ask the Legislature to raise the level that they can generate power to the 168msl. This caused a Law suit to be filed as the contract stated that they could generate power down to 165msl. The Law suit was dropped and all parties agreed to raise the generating level up to 168msl. This could have all been avoided if the silting problem would have ever been addressed.

The silting problem still isn't being addressed by the States involved although the Texas SRA has tried to address the problem on the Texas side. Louisiana SRA on the other hand has refused to address this problem. The 2007 Legislature approved \$100,00.00 for a pilot program to start addressing the problem around the Fisherman Wharf Area of the lake but the Louisiana SRA refused to except the funding to start addressing the problem. This was not their right to due as the then Governor signed it into law.

WE are asking the Commission to hold up the re-licensing until both States address the problem they have until 2013 to start making a good faith effort in correcting this problem. Just think about if the problem is left un checked there will no use to issue a license as we will not be able to generate power any way. This has happened already in other states, in some cases the dam had to be removed all together.

I know this will not be a popular political answer to the problem but it is the only solution that has been found after over 30,000 studies have been done on the subject around the world. Please consider making this a part of the Licensing and re-licensing of all dam. Thanks for your concern in addressing the silting problem that occurs where a dam has been installed on a river.

James L. Dodson



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