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July 23, 2007

July 2007 NHA-ILP Update (revised)

MORGAN FALLS (P-2237)

NOI filed Jan. 15, 2004

16.8 MW

<http://www.georgiapower.com/lakes/hydro/mfp.asp>

On Tuesday, February 27, 2007, GPC filed with the Commission its license application for the Morgan Falls Project, FERC Project No. 2237. The public components of the application can be found on Georgia Power's relicensing website.

GPC received a short AIR from FERC and GPC responded on April 30, 2007. FERC issued the Notice of Acceptance and REA on May 11, 2007 and comments, protests, interventions, recommendations & preliminary terms and conditions were due July 10. Interior commented on July 3, primarily requesting that a Section 18 prescription, in the interest of diadromous fishes, be in the license. Interior did not prescribe any 4(e) conditions. Interior also stated that they support the proposed environmental measures in Exhibit E in the license application. Interior further stated that a settlement agreement has been drafted with GPC, FWS and NPS. Interventions were also filed by Interior and jointly by Upper Chattahoochee River Keeper and American Rivers. Responses to comments are due August 26.

MYSTIC LAKE (P-2301)

NOI filed July 1, 2004

10 MW

<http://www.mysticlakeproject.com>

PPL Montana filed a Mystic Lake Project Final License Application (FLA) on December 15, 2006 with the Commission. The Mystic FLA comprises seven public and non-public Volumes of information including Exhibits A thru H, Historic Properties Management Plan (HPMP) and Programmatic Agreement (PA), a sensitive species Biological Evaluation and a T&E species Biological Assessment.

The Mystic FLA does not propose to materially modify the present operation of the Project under a new license. The FLA proposes protection, mitigation and enhancement (PM&E) measures, developed with stakeholder consensus, to better conserve, protect and enhance fisheries and aquatic habitats, wildlife and terrestrial habitats, water quality, recreation, land-use, aesthetics and cultural resources affected by the Project. The FLA also proposes consensus monitoring of Project resources to ensure long-term effective resource and Project management. On January 19, 2007, the Montana DEQ filed, with the Commission, final Section 401 Water Quality Certification for the Mystic Project whose conditions are consistent with FLA PM&E measures. On January 27, 2007, the Montana SHPO formally concurred with the HPMP and PA filed in the Mystic Project FLA. In a January 11, 2007 letter to PPL Montana, the Commission forwarded a Schedule of Deficiencies and Additional Information Requests for the Mystic FLA requiring PPL Montana corrections and response within 45 days (February 26, 2007). On March 5, 2007 FERC issued a *Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions* for the Project. Several agencies have filed motions to intervene.

PPL Montana is also presently working with Commission and USFS staff to resolve Mystic Project wilderness boundary issues, first identified by FERC to PPL Montana in late 2006, in the context of the Mystic ILP process. There is an apparent encroachment of the Project onto the Absaroka-Beartooth Wilderness Area. The Commission notified parties that FERC cannot issue a new License where a project would occupy any part of a designated wilderness area. Most stakeholders consider the boundary overlap an uncorrected mistake when Congress drafted the original Wilderness boundary in late 1970's (Mystic Project dates back to 1920's). PPL Montana and stakeholders are pursuing an administrative fix or Congressional fix to resolve. In a recent conference call with stakeholders, FERC said that absent a fix, FERC would have to propose lowering Mystic Lake and West Rosebud Re-regulating reservoir to keep the project out of Wilderness lands. Based on significant operational and environmental concerns over reservoir lowering, this solution seems unacceptable to all.

Forest Service provided preliminary 4(e) conditions and PPL Montana replied to that letter on June 18. The Forest Service said that its comments were subject to modification if FERC was to license a project with a boundary different from the one that exists today. PPL Montana's entire response explained to FERC why FERC could license the project with its current boundaries.

Lessons Learned:

PPL Montana lessons learned include: "Even though PPL Montana and stakeholders greatly benefited from starting informal consultations, issue scoping and limited field studies 2 years early (pre-NOI filing), the formal Mystic Project ILP timeline from PAD to formal studies to Preliminary Licensing Proposal (PLP) to FLA filing was very full and fast moving and required all stakeholders to stay actively engaged to allow adequate consultation and decision making toward consensus within the many benchmark

deadlines. Start early, stay engaged and follow through with appropriate ILP team delegation and resources.”

"Take nothing for granted in this fast moving ILP process because every "i" must still be dotted and every "t" must still be crossed in the context of the voluminous Final License Application that follows very soon after an applicant's PLP is filed with the Commission. Early (pre-PLP) discussions by the applicant team of an internal FLA preparation timeline and coordinated management of information into the FLA are critical to facilitate accurate and timely FLA filing within the compressed ILP timeline."

CANAAN (P-7528)
1.1 MW

NOI filed Aug. 2, 2004

On December 1, PSNH filed a summary of a teleconference held on November 16, and on December 15 filed a summary of a teleconference held on December 5, which discussed the status of cultural resource studies. PSNH filed its Shoreline Erosion Study and an update on upstream and downstream erosion studies on December 15, and its Operation Report on February 23. PSNH filed its preliminary licensing proposal on March 5, 2007. On April 17, FERC responded with comments on the PLP, stating what additional information would be needed in PSNH's license application. Comments on the PLP were filed through mid June.

DE SABLE-CENTERVILLE (P-803)
26.6 MW

NOI filed Oct. 4, 2004

<http://www.eurekasw.com/DC/relicensing/default.aspx>

FERC's May 18, 2007 letter provided FERC's determination on studies discussed during the January 30 and 31 and February 7 SISR meetings.

On May 14, 2007, PG&E filed with FERC a draft license application (DLA) for the DeSable-Centerville relicensing pursuant to 18 CFR § 5.16. Prior to filing the DLA, PG&E's April 17, 2007 letter notified FERC of PG&E's intent to file a DLA in lieu of a Preliminary Licensing Proposal (PLP). Under 18 CFR § 5.16(c), an applicant electing to file a DLA is required to provide notice of its intent in the updated study report, however, the updated study report is schedule to be filed after the ILP deadline for filing the DLA/PLP. As provided in 18 CFR § 5.16(e), within 90 days Relicensing Participants and FERC staff may file comments on the DLA. Filing of the DLA also triggered a review of selected studies under 18 CFR § 5.15. In a letter filed May 14, 2007, FERC modified the process plan and schedule to have comments on the DLA due by September 5, 2007. A study review meeting was held on May 23, 2007 and PG&E filed a meeting summary and study plan modifications on June 7, 2007. Relicensing Participants may file comments on these selected studies by July 7, 2007. On July 5, 2007, the Director approved five studies, which will allow for additional results to become available on these five studies prior to the review and comment period by relicensing participants.

PACKWOOD LAKE (P-2244)

NOI filed Nov. 10, 2004

26 MW

<http://www.energy-northwest.com/gen/packwood/rellice.html>

Energy Northwest responded to comments received on the draft final Packwood Lake Drawdown Study Report, and FERC has decided that no determination is needed as to whether the study is completed. Field work on the remaining six studies is nearing completion. A Synthesis Report tying together impacts from the studies for both project and non-project effects was issued to the agencies and tribes for review and comment. The agencies and tribes had requested that we provide an overview of impacts. Once we explained that the Synthesis Report was only dealing with current impacts, and not with any proposed protection, mitigation, and enhancement measures (PM&E's), the report was well-received. Instream flow study reports were also issued for review and comment. Discussions on possible scenarios for future project operations in the new license will start in mid-July. Energy Northwest's consultant has completed an internal draft Preliminary License Proposal (PLP) for Energy Northwest's review, with placeholders for PM&E's and the remaining study results. The PLP is due to FERC no later than October 1, 2007.

Lesson learned:

In the process of preparing and issuing draft study reports for review and comment by the agencies and stakeholders, Energy Northwest learned that in a summary or conclusion section there is a need to clearly state how the goals and objectives from the study plan were met. Their early reports did not call out the goal or objective, and the agencies disputed whether they were met. Later draft reports or revised draft reports clearly stated how they met the goals and objectives, and this has led to fewer or no comments on the draft report, and less concern as to whether there is sufficient data to support a determination on project effects.

SMITH MOUNTAIN (P-2210)

NOI filed Oct 25, 2004

636 MW

<http://www.smithmtn.com/default.asp>

On September 7, 2006, Appalachian Power Co. submitted the Initial Study Report describing the overall progress in implementing the study plan and schedule. Meetings to discuss the progress of the studies were held on September 26-28. Under the Study Plan Determination issued by the Director, a total of sixteen individual study plans as filed by Appalachian were reviewed and approved with or without modification. A summary of the study progress meetings was filed October 11. Stakeholders filed comments on the study plans and how the studies are being conducted, and Appalachian Power submitted responses to the comments on December 5. Their lengthy letter responded to comments concerning 13 of the 16 studies and concerns, primarily from the Tri-County Relicensing

Committee, made up of the three County governments surrounding the lakes. Appalachian filed a second letter on late comments on January 4. On January 10, FERC issued its determination on the requests for modifications of existing studies. The Director noted that the Parties did not address one or both of the criteria set forth in 18 CFR §5.15(d)(1-2) in their requests. A lengthy staff analysis was attached; however, for the Recreation Use Assessment the study plan needed to be revised to include public safety, as part of the recreation needs assessment. For the Debris Study, he required that the study plan be revised to add (a) a definition of debris (*e.g.*, natural versus man-made), and (b) a boating safety component. Finally, the Drought and Flood Management Study must be revised to include appropriate criteria and priorities for interpreting model results and making water management decisions.

A Studies Update Meeting was held April 25 and 26, 2007 to provide details regarding all of the studies being conducted relative to the relicensing effort for the Smith Mountain Project. Review comments on draft study reports are being filed, and Appalachian Power Co. is planning a second year of field studies for the Roanoke logperch, a federally-listed endangered species.

METRO (P-12484)
2.4 MW (new capacity)

NOI filed May 5, 2005

<http://www.advancedhydrosolutions.com/MetroGorge.html>

AHS is continuing litigation against the Metro Parks Serving Summit County for access to the Gorge Metro Park for the completion of the noninvasive studies required by the Final Plan Determination. On February 21, 2007 Federal District Judge John Adams issued a Preliminary Injunction to allow all noninvasive testing to be implemented by AHS. Originally, AHS said that studies should be completed by fall 2007; however, the injunction providing Metro Hydro access to conduct studies was appealed by Metro Parks and a stay of the injunction was granted by a Federal Appeals Court on April 23. As of right now Metro Hydro is once again not able to gain access to the park to conduct the studies.

The litigation against the Metro Parks is scheduled as follows; all discovery to be complete by February 28, 2007, expert discovery completed by March 31, 2007 and all final motions filed by June 11, 2007.

On March 9, 2007, AHS requested that FERC modify the ILP schedule to allow completion of the litigation. FERC never responded; however, on June 14 the Director OEP, in a letter order, terminated, without prejudice, the ILP because he felt AHS could not comply with the prescribed ILP schedule. Robinson said that AHS could refile the NOI/PAD if appropriate access to the land was ever obtained. Robinson further said that certain steps in the ILP might be able to be waived, if at that time, the project configuration hadn't changed and that step didn't need to be repeated. On June 28 AHS requested reconsideration of Robinson's decision. On July 3 Metro Parks filed an opposition to the reconsideration request. On July 11 Robinson denied the

reconsideration request. Numerous arguments of AHS were not addressed. Robinson said that, regardless of fault, Metro had been unable to follow the process plan. Robinson was concerned that FERC and others would have to expend resources where it appeared appropriate progress was not being made. On July 16, 2007, AHS filed a request for rehearing of the decision.

TACOMA (P-400), AMES (P-12589)

NOI filed May 20, 2005

Tacoma development: 8.1 MW

Ames development: 3.5 MW

<http://www.tacoma-ames.com/Default.htm>

Tacoma/Ames continues to go well. All of the first season studies are complete. The experimental operations ice study at Ames will continue for a few more winters. Study meetings were held the week of April 9th.

Study Progress Report Meeting summaries were filed and accepted with the FERC on April 27th and 30th. They are available on the FERC website and also the Tacoma-Ames site. Responses to additional study requests, three from the USFS on the Tacoma Project, were filed with FERC the last week of June. The Director's study plan determination is due by the end of July. Work to complete two studies, one on each project involving project peaking effects on downstream flows, are being conducted over the next few weeks

So far the process has been working well with good cooperation among agencies and stakeholders.

Lessons learned:

- * Licensee says that the ILP process is an improvement but at the end of the day it is still relicensing. Prepare for it with that understanding.

- * Start early. They want to emphasize strongly the benefit of starting before the process begins. Get out and meet your stakeholders. See where they work and what they deal with. Give them tours of your projects so they understand what we are dealing with.

- * Document, document, document. Start putting critical data together in clear format before you start the ILP. This will help the discussion and also save money and angst trying to organize it at the last minute.

- * Be cooperative but also be firm. Don't let the agencies run your relicensing.

HENRY M. JACKSON (P-2157)

NOI filed Dec.1, 2005

112 MW

<http://www.snopud.com/WaterResources/relicensing.ashx?p=2334>

Snohomish County PUD on behalf of itself and the City of Everett has contracted with eleven consultants to conduct 21 of 23 studies over the course of 2007-2008. Two studies will be done by PUD staff. Studies are all in various stages of progress for the first study year. The Meridian Environmental team was selected to provide services for preparation of the new license application. The deadline for filing the final license application is May 31, 2009.

Lessons Learned:

PAD Development Phase

The Licensees started 2.5 years before filing the PAD. Activities included hiring strategic consultants, assembling our current license documents, and making the necessary internal arrangements to be prepared for the relicensing process as we understood it at the time. This was before the ILP was formally adopted by the FERC and consultant contract adjustments were done as the ILP was finalized.

A “Resource Summaries for Consultation Document” was developed by the licensees which consolidates the pertinent known information before going out to meet the stakeholders informally a year before the PAD was due. This forced the licensee staff to get up to speed on the project and gave the stakeholders something to digest.

Stakeholders were not given the opportunity to comment on the PAD before submission to FERC with the NOI. This saved substantial time during the crunch of getting the PAD done.

FERC staff was shown a draft of the PAD a month before submittal. They gave fast turn around and insightful feedback so the formal submittal was acceptable to them.

Study Development Phase

Stakeholder perceptions are driven by their experience, background and personality. After several initial meetings on the Proposed Study Plans, the licensees brought in additional consultants to address the issues in a context that accounted for these factors. Several subgroups were created to work on concerns about the proposed studies. Several of the Proposed Study Plans were rewritten to address stakeholder and FERC concerns. This led to acceptance of the Revised Study Plans by the FERC with very few additional comments or changes and avoided the study dispute resolution process.

Study Implementation Phase

Not enough time has passed to provide any lessons learned in this phase.

MAHONING CREEK (P-12555)
MW (new capacity)

NOI filed Dec. 27, 2005 4.4

<http://www.advancedhydrosolutions.com/Mahoning.html>

Mahoning Creek Hydroelectric Company (agent is AHS) filed the Initial Study Plan on June 8, 2006. The Final Plan Determination was received from FERC in November 2006. All five required studies will commence in the spring of this year. Mahoning Creek stated in a progress report filed on March 9 that it will finalize contracts with qualified consultants to perform the 5 required studies approved in the Study Plan Determination. Mahoning Creek expects to complete all required studies in the spring and summer 2007.

CLAYTOR (P-739)

NOI filed Jan. 6, 2006

75 MW

<http://www.claytorhydro.com>

Appalachian Power Company's (APC) held a public meeting on May 16 and 17, 2007, at Appalachian's Pulaski Service Center in Pulaski, Virginia, for discussion of progress on studies being performed as part of the relicensing effort for the Claytor Project. Consultants for each study and representatives of the Federal Energy Regulatory Commission participated in the meeting to provide updates and answer questions.

GREEN ISLAND (P-13)

NOI filed March 1, 2006

6 MW existing, 20 MW new capacity

Green Island Power Authority's process plan and schedule calls for a draft license application to be distributed October 2008 and a license application by March 2009. Green Island proposes to expand the powerhouse and add two units with a combined capacity of 10 MW. The Proposed Study Plan was filed on August 18, 2006. On September 5 FERC said they were not issuing a SD 2. The Study Plan meeting was held on September 11. On October 24 Green Island filed a supplemental PAD. This revision showed the expansion facility (now a proposed single 20 MW unit) moving from the West side to the East side of the hydropower facilities to avoid disturbing contaminated sediments on West side. On November 13 FERC commented on the proposed study plan. The revised study plan was filed by Green Island on December 11. FERC approved the revised study plan on January 10, 2007 with modifications, including several studies on water quality, fisheries, and geology and soils. In January, Green Island asked the Fish and Wildlife Service and others for assistance in determining if any federally listed endangered species, designated critical habitats, etc. will be affected by the project. Studies are underway.

WILLOW MILL (P-2985)

NOI filed April 14, 2006

460 KW

MeadWestvaco filed a draft study plan on September 26, 2006. Following this submittal, a study plan meeting was held on October 26, 2006. After receiving comments from

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FERC and the Massachusetts Division of Fish and Wildlife, MeadWestvaco submitted an ILP Revised Study Plan on January 23, 2007. In its Revised Study Plan MeadWestvaco withdrew its Hydropower Redevelopment Study proposal. Rather, MeadWestvaco now states that it will rehabilitate the 100-kW unit during 2007, and otherwise has no plans to upgrade or expand the project. The Commission approved the Revised Study Plan on February 23, with some modifications to wildlife, hydropower redevelopment, and bypassed reach flow studies. On May 30 MeadWestvaco requested that the cultural resources study be removed from the plan. Robinson replied on July 9. He stated there was nothing in the regulations about removing an approved study, but he felt he could act on such a request. He did remove most of the cultural resources study requirements but emphasized that an HPMP must be filed with the application.

MASON DAM PROJECT (P- 12686 new project number)
3 MW (new capacity)

NOI filed April 27, 2006

Scoping meetings were held on July 26. Comments were due August 25. The Confederated Tribes of the Umatilla Indian Reservation expressed concerns about cultural resources and fish species of concern. The U.S. Forest Service, Interior, and the state had similar concerns and requested numerous studies. On September 8, FERC granted Baker County's request to be designated non Federal representative for cultural resources and ESA consultation. On October 9, Baker County filed their proposed study plans. Baker County and FERC held meetings on November 8 and December 14 to review the study plans and proposed studies with stakeholders. After receiving comments, Baker County filed a revised study plan on February 7.

The Commission issued the new preliminary permit to Baker County on January 19, 2007. On March 20, 2007, FERC issued a new project number (P-12686) and closed the docket under the old project number (P-12058). On March 22, 2007, FERC issued the study plan determination letter.

BOUNDARY (P-2144)
1,051 MW

NOI filed May 5, 2006

<http://www.ci.seattle.wa.us/light/News/Issues/BndryRelic/default.asp>

Seattle City Light held a scoping meeting and site visit on July 19. FERC provided comments on the proposed study plan and PAD on August 31. Comments on SD 1 were due September 1, 2006. On September 28 FERC issued SD 2 with changes from SD 1 clearly marked. SCL's proposed study plan was filed on October 16. Seattle City Light filed its revised study plan on February 14 in response to oral and written comments. FERC approved the revised study plan with a few revisions on March 15.

One particular stakeholder, the Confederated Tribes of the Colville Reservation objected to certain study requirements and methods. Seattle City Light responded to FERC on this subject on July 3, 2007.

LAKE CREEK (P-2594)

NOI filed May 31, 2006

4.5 MW

<http://www.norlight.org/LCRelicensing/>

Northern Lights, Inc. electronically filed the NOI and PAD for the Lake Creek Project on May 31, 2006. With agency and tribal consent, NLI implemented a number of early studies in 2006 including water quality, cultural resources and fish habitat among others. FERC Scoping Meetings and site visit were held on August 9, 2006. NLI filed the Study Plan October 13, 2006 and held the Initial Study Plan meeting November 1, 2006. NLI filed a Revised Study Plan (with only minor revisions from the original) on January 19; there were no comments. NLI has provided FERC and the agencies with study progress reports. On March 8, 2007, FERC issued a letter order approving Northern Lights Study Plan determination for the project. The limited remaining field work will be completed in August 2007. NLI will begin preparation of the Draft License Application following the 2007 field season. All documents related to the Project's relicensing are available on NLI's website.

Lessons Learned:

NLI's philosophy throughout the process to date has been to drive the timeline and process rather than to be driven. While cooperating fully with the tribes, agencies and other stakeholders, nonetheless, the licensee remains the driver of the process within the constraints of the regulations. Early planning and execution and open frequent communications with agencies and tribes have proven to facilitate and to enhance the process. Proper diligence in following the ILP schedules, even if not followed precisely by stakeholders and regulatory bodies maintains interest and keeps communications open.

Sharing a draft of the PAD with stakeholders early in the process facilitated their involvement and helped to keep the process on track as potential issues were identified in the early review and then covered in the final PAD – thereby avoiding additional information requests and debating potential studies or other future efforts. Timelines were never an issue when everyone was informed about the process and during the PAD development.

Working early with the agencies meant that study planning proceeded extremely smoothly as everyone's expectations and limitations were known. A commitment among the licensee and stakeholders to a "no surprises policy" further facilitated the process proceeding well within time constraints while addressing the requirements for additional information related to potentially affected resources.

Start early. Communicate with the agencies, tribes and stakeholders frequently. Be of good will.

MCCLLOUD-PIT (P-2106)

NOI filed July 27, 2006

364 MW

<http://www.mccloud-pitrelicensing.com/>

PG&E filed their Revised Study Plan including 34 Study Descriptions on May 4, 2007. Subsequently on June 4, 2007 FERC issued a Study Plan Determination. Based on resource agency comments FERC modified three study descriptions. No study disputes were filed by the June 24, 2007 deadline. Implementation of the studies is underway and will continue through 2008. The draft License Application or Preliminary Licensing Proposal is due March 3, 2009.

Lessons Learned:

The ILP schedule for Study Plan development is a challenge. To partially address this challenge, PG&E is making extensive use of their public project web site to post revised study descriptions, meeting agendas, and other information to help get materials to the stakeholder group quickly. The revisions to the study descriptions are shown in track changes so that the stakeholder can easily compare versions. For developing their April 9, 2007 comments, the stakeholders will have access to the most current version of the Study Plan and know what revisions PG&E has agreed to. However, there is a concern by the stakeholders that if the study descriptions do not include all possible contingencies, it will be difficult to revise them after FERC approval. As a result, the stakeholders are being very conservative and are insisting on very detailed study descriptions. Given the schedule constraints, PG&E anticipates starting field work on several studies prior to FERC approval of the Revised Study Plan, anticipated June 2007.

PG&E provided a facilitator to manage the Study Plan workshop. The use of a facilitator for the workshop was found to be valuable to keep the meetings moving and on track. The effort put in to the workshops addressed a majority of the relicensing issues and it is anticipated there will be no study disputes. The relicensing participants voiced concern over the limitations on modifying Study Descriptions based on 1st year study results. As a result they tended to be conservative in their study recommendations and/or requirements for data gathering. The limited time allowed in the ILP for Study Plan development and PG&E's collaborative workshop required a significant commitment of time and effort by all of the participants. However, the limited time and firm deadline helped move the process along.

The ILP schedule continues to be a challenge. PG&E filed their Revised Study Plan several days ahead of scheduled. FERC subsequently revised the Project Process Plan and Schedule shorting the scheduled the same number of days. The ILP does not provide an opportunity for the Licensee to contest FERC modifications to the Revised Study Plan which could be an issue for some Licensee's.

WELLS (P-2149)

774 MW

<http://relicensing.douglaspud.org>

NOI filing date, Dec. 1, 2006

Douglas PUD filed its Proposed Study Plan (PSP) Document with FERC on May 16, 2007. The PSP Document includes a collection of 12 study plans that were mutually developed and agreed upon with voluntary resource work groups (RWGs) that began meeting in November 2005. Over 150 issues or concerns were originally addressed and consolidated throughout the course of 35 separate RWG meetings. The study plans address Cultural, Recreation, Terrestrial, Aquatic and Water Quality issues designated by the groups as appropriate for study during the ILP study period. In addition to the 12 proposed study plans, the PSP Document includes Douglas PUD's responses to stakeholder study requests and a schedule for conducting its study plan meeting.

In accordance with the schedule proposed in the PSP, Douglas PUD held its Study Plan Meeting on June 14, 2007 in East Wenatchee, Washington. At the Study Plan Meeting, all of the study plans proposed by Douglas PUD and all of the stakeholder study requests were discussed by representatives from FERC, federal and state agencies, affected Indian tribes, local communities and Douglas PUD.

Stakeholder comments on the PSP are due August 15, 2007. Douglas PUD will file a Revised Study Plan by September 14, 2007. FERC is expected to approve the Revised Study Plan by October 15, 2007. Upon FERC's issuance of its Study Plan Determination in October 2007, Douglas PUD will initiate the formal study process. After the study period is completed, Douglas PUD will evaluate results from studies, resolve resource issues and complete management plans to be included into the Preliminary License Proposal due in late 2009.

Lessons Learned:

Douglas PUD's strategy of early engagement and early studies definitely has helped Douglas PUD staff write the PSP and it was useful in educating stakeholders as they now have concrete, scientific defensible study results to present to the agencies and tribes. It is too early to tell if the strategy has been successful at limiting the number of new issues and study requests. They say they will know more after the study requests have been filed with FERC.

MASSENA GRASSE RIVER (P-12607)
2.5 MW (new capacity)

NOI filing date, December 8, 2006

Based on discussions during the preliminary Agency and Stakeholder meeting held on January 5, 2007, MED prepared draft study plans for proposed studies to be conducted in 2007 to gather additional baseline data. MED continues to work with the stakeholders informally on expedited baseline studies to obtain critically important early year fisheries data. This effort is being conducted in parallel with preparation of the final study plans. MED has assured Agencies and NGOs that the early start of these baseline studies would not compromise their position that the 2007 studies may be proceeding outside the ILP's formal study plan process.

FERC Scoping Meetings and the Site Visit were held on March 1 and 2, 2007. Comments on the PAD and Requests for Studies were received on April 7, 2007. MED held a meeting with the Agencies and NGO's to discuss comments on the draft study plans on May 31, 2007. MED will continue to work with these groups to resolve comments in anticipation of the receipt of formal comments during August 2007. MED will also continue to work to expedite the portions of the schedule that it performs [preparation of study plans, revision of study plans, etc] in an effort to expedite the license application process.

MED is currently updating 2007 field study plans to incorporate comments received in study plan requests and agency meeting, as appropriate.

BEAR RIVER NARROWS (P-12486)
11 MW (new capacity)

NOI filing date, December 15, 2006

Twin Lakes Canal Company filed a Notice of Intent Pre-Application Document with FERC on December 15. The project includes the construction of a new dam and reservoir on the Bear River as part of Twin Lakes' plan to upgrade its irrigation and water delivery system. FERC issued a Notice of Intent to File License Application on February 16 and 23. The Commission held its first two scoping meetings on March 14. Several parties have filed comments on the PAD and the scoping meetings. Several parties, such as the Forest Service, the Fish and Wildlife Service, and the Idaho Department of Environmental Quality, have filed comments that include study requests. On April 16, FERC issued a letter to Twin Lakes requesting more detailed information on geological studies and project operation. FERC also requested several studies be performed, including a Bear River Flow Synthesis, Special Status Wildlife Species and Habitat Assessment, Special Status Plant Species and Noxious Weed Assessment, Mule Deer Habitat Assessment, assess Archaeological and Historic-era Properties, and an Economic Study of the proposed project. Twin Lakes must file the requested geological study information by May 13 and the project operation information by July 12. On May 9 and July 3, Twin Lakes responded to FERC's letter.

FALL CREEK DAM (P-12617)
10 MW (new capacity)

NOI filing date, February 15, 2007

Northwest Power Services on behalf of Fall Creek Hydro, LLC filed an NOI and PAD on February 15, 2007. Fall Creek Hydro proposes to install a hydroelectric facility at the existing U.S. Army Corps of Engineers' Fall Creek Dam on Fall Creek in Lane County, Oregon. On February 28, FERC issued a letter to Northwest Power Services stating that it had not exercised due diligence in obtaining all existing information that may be available for the project area, because it did not contact many of the entities which are likely to have information that it could incorporate into the PAD. FERC requested

Northwest Power Services to file an updated PAD or addendum to the PAD within 75 days.

On January 10, 2007, the Commission issued an Order dismissing Fall Creek's successive application for a three-year preliminary permit based on "failure to demonstrate adequate progress during the initial 3-year preliminary permit period." On February 8, 2007, a Request for Rehearing was filed with FERC, arguing that the Commission was in error by concluding that the Application should be dismissed for failure to demonstrate adequate progress during the initial 3-year preliminary permit period. That Request for Rehearing was dismissed as deficient because it failed to include a Statement of Issues section separate from its arguments. FERC did however explain that Fall Creek Hydro LLC's efforts, made near the end of the preliminary permit period, were too little and too late. FERC never did terminate the ILP. Since an ILP can go forward even without an outstanding preliminary permit, we will leave this entry on the list for now.

On May 18, 2007, Fall River Hydro filed an addendum to the PAD, after FERC requested Northwest Power Services file an updated PAD or addendum to the PAD. This is now the new date for filing of the NOI and PAD. FERC will be issuing Scoping Document 1 on or before July 17, 2007, and will hold scoping meetings and a site visit on August 16 and 17, 2007.

OTTER CREEK (P-2558)
18 MW

NOI filing date, March 29, 2007

The existing Otter Creek Project consists of three developments on Otter Creek: (1) the Proctor development located in Proctor, VT; (2) the Beldens development located in New Haven, VT; and (3) the Huntington Falls development located in Weybridge, VT. Vermont Marble Power filed its Pre-Application Document on March 29, 2007. FERC issued a notice of the NOI and scoping meetings on May 21. Scoping meetings were held June 6 and comments are due July 27.

BRASSUA PROJECT (P-2615)
4.18 MW

NOI filing date, March 29, 2007

On March 29, 2007, licensees FPL Energy Maine Hydro LLC, Madison Paper Industries, and Merimil Limited Partnership filed an NOI/PAD for the relicensing of their Brassua Project, located on the Moose River in Somerset County, Maine. The licensees requested that FERC conduct the relicensing using ILP. The current license expires March 31, 2012, and a license application must be filed with FERC on or before March 31, 2010. FERC issued a notice of NOI/PAD and scoping meetings on May 10. Scoping meetings were held June 28. Comments are due July 27.

NATURAL DAM (P-2851)
1.0 MW

NOI filing date, April 13, 2007

Cellu-Tissue's license for the Natural Dam project expires March 31, 2012. The project is located on the Oswegatchie River in Gouverneur, NY. Cellu-Tissue notified Indian tribes by letter dated August 7. On August 10, FERC granted authorization to Cellu-Tissue in order for them to conduct day-to-day Section 106 consultation responsibilities in regards to the relicensing effort. The PAD was filed on April 13, and its notice to use the ILP process was filed on April 17. FERC noticed the NOI/PAD and scoping meetings on May 30. Scoping meetings were held on June 26 and comments are due August 11.

ROCK CREEK (P-12726)

NOI filed April 17, 2007

2.3 MW (new capacity)

<http://www.eolp.net>

Eastern Oregon Light & Power Co., LLC (EOL&P) was formed to preserve the historic 1903 Rock Creek hydroelectric plant located in NE Oregon. EOL&P offers occasional public tours in cooperation with the local museum. The Pelton turbines, GE generators, and most of the meters and switchgear are original 1903 vintage. The plant ran until March 31, 1995, and was decommissioned in 2003.

EOL&P acquired the Rock Creek plant from the region's electric cooperative in May 2005. They filed their Preliminary Permit on August 21, 2005, and FERC issued their order granting EOL&P's Preliminary Permit on April 16, 2006.

EOL&P is proposing to restore the existing 800 KW back to operating condition, and construct a backup/spring run-off plant of approximately 1.5 MW. This will allow the site to operate in a historically accurate manner for tours, but having the backup plant would relieve much of the operational pressure on the historic plant. Additionally, the backup plant would be used for 4-10 weeks each spring to take advantage of the very high spring run-off flows in Rock Creek.

EOL&P e-filed their NOI and PAD on April 17, 2007. FERC noticed the NOI/PAD on June 12. Scoping meetings were held on July 12. Comments are due August 13.

EMERYVILLE HYDROELECTRIC PROJECT (P-2850)

NOI filed May 31, 2007

3.5 MW NEW

Hampshire Paper Company's (HPC) project is on the Oswegatchie River in St. Lawrence County, NY. On June 8 FERC notified a number of Indian Tribes of the NOI/PAD.

WAILUA FALLS HYDROELECTRIC PROJECT (P-12534)

NOI filed June 19, 2007

6.6 MW (New Capacity) NEW

Pacific Energy Resources LLC's project would divert water from the South Fork Waihua River above Wailua Falls to a plant located 1.5 miles downstream, in Kauai County, Hawaii. FERC has not begun processing the proceeding.

REEDSPORT OPT WAVE PARK PROJECT (P-12713)

NOI filed July 2, 2007

2.1 MW (new capacity) NEW

Reedsport OPT, LLC project would be located off the coast of Gardiner in Douglas County, Oregon. If their request to use the Traditional Licensing Process is approved, I will remove this entry. The project would consist of 14 PowerBuoy wave energy converters having an installed capacity of 2.1 MW.

THOMSON PROJECT (P-12741)

Est. NOI filing date, unknown

20 MW (new capacity)

Albany Engineering Corporation's Thomson Project was granted a preliminary permit on March 6, 2007. It will utilize an existing dam owned by New York State Canal Corporation (NYSCC) and is located on the Hudson River. The project had its request to use the TLP process denied on December 26, 2006. Albany Engineering has until May 25, 2007 to submit additional information to staff that was requested in the December 26 correspondence. Albany Engineering responded to FERC on May 25.

SAVE THE DATE

2008 NHA Annual Conference, April 13-16