

TROUTMAN SANDERS LLP

ATTORNEYS AT LAW
401 9TH STREET, N.W. - SUITE 1000
WASHINGTON, D.C. 20004-2134
www.troutmansanders.com
TELEPHONE: 202-274-2950

Fred Springer, C.E.
(p) 202-274-2836
fred.springer@troutmansanders.com

David Moore, Esq.
(p) 404-885-3326
david.moore@troutmansanders.com

May 3, 2007

May 2007 NHA-ILP Update

MORGAN FALLS (P-2237)

16.8 MW

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

NOI filed Jan. 15, 2004

On September 21, 2006, Georgia Power Company (GPC) filed a preliminary licensing proposal (PLP), which was due to FERC by October 2, 2006. Though not required by FERC regulations, GPC held preliminary licensing proposal development meetings on July 24 and July 25, 2006, in order to gather input from stakeholders on proposed protection, mitigation, and enhancement measures. A draft list of proposed measures was filed with FERC prior to the meetings on July 13, 2006.

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. GPC expects a Notice of Acceptance & REA from FERC in May.

MYSTIC LAKE (P-2301)

10 MW

<http://www.mysticlakeproject.com>

NOI filed July 1, 2004

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.

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)

NOI filed Aug. 2, 2004

1.1 MW

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.

DE SABLE-CENTERVILLE (P-803)

NOI filed Oct. 4, 2004

26.6 MW

<http://desabla-centerville.wss.bcentral.com/relicensing/default.aspx>

On September 13, 2006, FERC approved PG&E's request to file a Supplemental Initial Study Report (SISR) in January 2007. PG&E filed its Supplemental Initial Study Report on January 16, 2007 and held meetings with relicensing participants on January 30 and 31, 2007 and February 7, 2007 to: (1) satisfy the requirements of 18 CFR § 5.15(c)(2) by providing an opportunity for relicensing participants to comment on PG&E's or other participant's proposal for study modifications and/or new studies; and 2) satisfy the requirements of FERC's Determination to provide an opportunity for relicensing participants to comment on quarterly progress reports. PG&E filed meeting summaries of the January 30 and 31, 2007 and February 7, 2007 SISR meetings with FERC on February 15, 2007. Relicensing participants filed comments on PG&E's SISR meeting summaries within 30 days of the February 15 filing date. PG&E filed its reply comments in response to Relicensing Participant comments on April 17, 2007. FERC will resolve any study plan disagreements and amend approved studies by May 18, 2007.

PACKWOOD LAKE (P-2244)

NOI filed Nov. 10, 2004

26 MW

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

The Director issued a determination on Phase I and some Phase II studies on January 18. The Director concurred with Energy Northwest that the information requested for water quality was contained within the draft report, deferred a decision on the lake drawdown study until after the second season report is issued, and deferred decision on other studies until after all agencies file comments. Energy Northwest's response to comments and study requests filed by agencies in January was filed on February 26. The filing included

a cover letter summarizing the status of various studies, a revised meeting summary for the December 12 study report meeting, a spreadsheet listing all comments received on draft study reports and disposition of comments, and a detailed response to the Forest Service's request for additional gravel transport studies. Energy Northwest proposed to continue one Phase I and three Phase II studies because weather conditions in 2006 did not allow the studies to start when scheduled. Because of a large storm event that occurred in November 2006, which caused a large overtopping event of the drop structure and severe flooding of the Cowlitz River near the Project's tailrace, Energy Northwest also committed to additional work on geomorphology, stream connectivity, gravel transport, and large wood. Four other studies were previously scheduled to be conducted into 2007. On March 30, 2007, the Director issued a determination on Phase 2 studies. The Director approved all the studies along with staff's recommendations for the studies.

SMITH MOUNTAIN (P-2210)

NOI filed Oct 25, 2004

636 MW

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

On September 7, 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.

METRO (P-12484)

NOI filed May 5, 2005

2.4 MW (new capacity)

<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. In March 2007 water samples will be taken and all other testing will commence in April 2007. Studies should be completed by fall 2007.

On March 9, 2007, AHS filed the first required progress report with the FERC. Metro Parks in turn filed an opposition to AHS's study plan revision and a response to the study plan report on March 16, 2007. A Progress Report Meeting was held on March 22. Metro Parks and the Ohio Environmental Protection Agency filed comments on the meeting minutes on April 20 and 23, respectively.

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.

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 are scheduled for the week of April 9th.

Study progress reports were filed January 24. They covered studies through 2006 and although the ILP doesn't require such a filing, they were filed to keep the Resource Working Groups current. Draft study reports were filed on April 2 and study meetings for both projects were held the week of April 9th in Durango and Telluride. 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. They are now waiting for comments back from stakeholders and agencies.

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

Lessons learned:

* Although I don't necessary want credit for saying it, 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. I can't emphasize too 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. A Request for Proposals for services related to preparation of the new license application has been issued. Selection will be announced by mid June. 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.

MAHONING CREEK (P-12555)

NOI filed Dec. 27, 2005 4.4

MW (new capacity)

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

Mahoning Creek Hydroelectric Company (agent is AHS) filed the Initial Study Plan on June 8. 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. 9, 2006

75 MW

<http://www.claytorhydro.com>

Appalachian Power Company's (APC) notified stakeholders of a series of study plan work group meetings that were scheduled. FERC provided comments on the proposed study plan filed in June 2006 on September 18. A revised study plan was filed on October 17. On November 17, FERC approved the revised study plan. FERC requested modifications to the study plan and did not accept certain study modifications requested by stakeholders. On January 24 and 25, 2007, APC held public meetings on the upcoming studies, which include water quality, erosion, aquatic resources, cultural resources, and habitat and aquatic vegetation studies.

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. 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

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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.

WILLOW MILL (P-2985)
460 KW

NOI filed April 14, 2006

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 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.

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).

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.

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 and has scheduled the remaining field studies for 2007. On March 8, 2007, FERC issued a letter order approving Northern Lights Study Plan determination for the project. 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. Early planning and execution and open frequent communications with agencies and tribes have proven to facilitate and to enhance the process.

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

MCCLOUD-PIT (P-2106)

NOI filed July 27, 2006

364 MW

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

PG&E filed their Proposed Study Plan including 25 Study Descriptions on January 5, 2007. During February and March, PG&E convened five two-day workshops with the relicensing participants to receive comments on the Study Plan and collaboratively modify Study Descriptions. As a result of the workshops PG&E eliminated one, added 10, and modified most of the remaining Study Descriptions. By the April 8, 2007 deadline, seven letters commenting on the Proposed Study Plan were received. As the workshops addressed a majority of the issues, the comment letters did not raise any new significant issues other than concern over the limited time allowed in the ILP for Study Plan development. PG&E will file their Revised Study Plan by May 8, 2007 which will include 34 Study Descriptions.

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.

WELLS (P-2149)

NOI filing date, Dec. 1, 2006

774 MW

<http://relicensing.douglaspud.org>

Douglas PUD filed its Notice of Intent to File an Application for New License and Pre-Application Document with FERC on December 1, 2006. The documents represent the culmination of over two years of work by Douglas PUD staff, consultants and stakeholder representatives. The Pre-Application Document includes a compilation of preliminary issues and 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 that were consolidated and sorted throughout the course of 28 separate RWG meetings. The study plans address Aquatic, Water Quality, Cultural, Terrestrial, and Recreation and Land Use issues designated by the groups as appropriate for study during the two-year ILP study period.

In accordance with ILP regulations, FERC issued Scoping Document 1 on January 29, 2007. FERC's Scoping Document 1 includes issues and studies identified by the RWGs and a detailed Process Plan and Schedule for ILP activities and deadlines.

FERC staff conducted a public site visit of the Wells Project on February 27, 2007 and public scoping meetings on February 28, 2007. The site visit included an overview of the Wells Project and its operations and a tour of the Wells Reservoir and adjacent recreation facilities and wildlife areas. The morning scoping meeting was held in the City of East

Wenatchee and the evening meeting was held in the City of Brewster. Attendees included representatives from federal and state agencies, elected officials, business leaders and community members. Douglas PUD filed comments on the public scoping meetings on March 30, and on the same day FERC stated that it had no additional comments or information requests regarding the PAD. On April 24, Douglas PUD filed additional comments in response to stakeholder comments regarding Scoping Document 1 and the PAD.

Douglas PUD is scheduled to file its Proposed Study Plan (PSP) Document with FERC on May 17, 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 34 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. 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 PAD 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 try to encourage stakeholders to work informally on expedited baseline studies to obtain critically important early year fisheries data. MED has assured Agencies and NGOs that these early start of 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

will 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, as appropriate.

On April 6, FERC staff requested additional information regarding project operation, inundation areas, upstream water levels, and aesthetic resources. FERC also requested an in-stream flow study and fish passage study be performed. MED must respond to FERC's request for information by May 22, 2007.

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.

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.

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 Weybridge, VT; and (3) the Huntington Falls development located in Weybridge, VT. Vermont Marble Power filed its Pre-Application Document on March 29, 2007. The current license for the Otter Creek Project expires March 31, 2012, and an application for a new license must be filed by March 31, 2010.

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.

ROCK CREEK (new) (P-12726)
2.3 MW (new capacity)
<http://www.eolp.net>

NOI filed April 17, 2007

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. EOL&P's scoping meeting is scheduled for May 10, 2007.

THOMSON PROJECT (P-12741)
20 MW (new capacity)

Est. NOI filing date, unknown

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.

We would like to thank Mary Ellen Stefanou for her help in preparing this newsletter.