

# **Turners Falls Hydro Project**

## **Project No: 2622**

February 29<sup>th</sup> 2016

Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Subject: Request for Approval to Use the Traditional Licensing Process for the  
**Turners Falls Hydro Project P- 2622**

Dear Secretary:

Pursuant to Section 5.3 of the Commission's regulations, 18 CFR § 5.3, the **Turners Falls Hydro LLC** hereby requests use of the Traditional Licensing Process ("TLP") for the licensing of the **Turners Falls Hydro ("TFH")**. Concurrent with this filing, but under separate cover, the **Turners Falls Hydro LLC** is filing its Notification of Intent and Pre-Application Document for the Project.

We address below the following considerations to justify our request to use the TLP.

### **Likelihood of Timely License Issuance [18 CFR § 5.3(c)(1)(ii)(A)]**

Turners Falls Hydro believes that due to the straight forward nature of the project and its location, nestled in between FERC project number 1889 (Turners Falls and Cabot Station) there will be a low level of complexity to the re-issuing of this third license. There exists a Water Exchange Agreement (WEA) between Turners Falls Hydro (P-2622) and the owners of P-1889 such that Turners Falls Hydro only operates when the river is above 15,000 cfs. TFH does not control the dam, impoundment or canal.

### **Complexity of the Resource Issues [18 CFR § 5.3(c)(1)(ii)(B)]**

The project area is only 3,847 sq. ft and sits on the Turners Falls Power Canal. TFH does not control the dam, impoundment or canal. The only land owned by the project sites directly under the powerhouse. The powerhouse is located in a historic building but no changes to the project are anticipated in this relicensing. Due to these circumstances, TFH does not believe that the resource issues will be complex.

### **Level of Anticipated Controversy [18 CFR § 5.3(c)(1)(ii)(C)]**

Because the surrounding project (P-1889) will have gone through relicensing prior to TFH, many of the potentially controversial topics (fish passage, recreation, etc.) will have been decided and will be managed by that project. TFH believes that there controversy over its small project will be minimal.

### **Relative Cost of the Traditional Licensing Process Compared to the Integrated Licensing Process [18 CFR § 5.3(c)(1)(ii)(D)]**

Because the surrounding project (P-1889) is mid way through the relicensing of their project there is a wealth of publically available information about the surrounding area, the various natural resources and a thorough review of all aspects of the impoundment , dam and canal. TFH believes that little additional will not be required and thus the TLP process will be less expensive. Note that the stakeholders will be a similar, but reduced set of the stakeholders than those that are involved in the relicensing of P-1889.

### **The Amount of Available Information and Potential for Significant Disputes Over Studies [18 CFR § 5.3(c)(1)(ii)(E)]**

There is wealth of information available about the surrounding environment as noted above. TFH believes that its unique niche on the power canal is unlikely to lead to any disputes. Further, there is no public access to the island on which the former International Paper Company project is located. The entire property has been taken by the town for non-payment of property taxes, so the surrounding property is now owned by the town. This is the third relicensing of P# 2622, so while P#1889 is going through a detailed relicensing, it will have almost no impact on this project that takes it flow from the canal and returns it to the bypass reach of P#1889. There have not been disputes due to the Water Exchange Agreement (WEA) which determines when TFH is to allow water to pass by its intake for the benefit of the Cabot Station. Otherwise, TFH is left to generate power whenever flows are greater than 15,000 cfs.

### **Other Pertinent Factors [18 CFR § 5.3(c)(1)(ii)(F)]**

For all of the foregoing reasons, the **Turners Falls Hydro** respectfully requests that the Commission grant this request and authorize the **Turners Falls Hydro** to use the TLP for the licensing of the Project.

As required by 18 CFR § 5.3(d)(1), the **Turners Falls Hydro** is concurrently providing copies of this request to all affected resource agencies, Indian tribes, and potentially interested parties. As required by 18 CFR § 5.3(d)(2), the **Turners Falls Hydro** is publishing notice of this request simultaneously with the publication of notice

of availability of the NOI and PAD in The Montague Reporter a weekly newspaper of general circulation in the counties where the Project is located.

By this letter, **Turners Falls Hydro** is notifying the resource agencies, Indian tribes, and potentially interested parties that comments on this application must be provided to the Commission and the **Turners Falls Hydro** no later than 30 days following the filing date of this document. All comments should reference **P-2622-Turners Falls Hydro**, and they should address, as appropriate to the circumstances of the request, the following topics:

- Likelihood of timely license issuance;
- Complexity of the resource issues;
- Level of anticipated controversy;
- Relative cost of the TLP compared to the ILP;
- The amount of available information and potential for significant disputes over studies; and
- Other factors believed by the commenter to be pertinent.

Comments should be submitted to the Commission electronically pursuant to 18 CFR § 385.2003(c), or by sending an original and eight copies to:

Office of the Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Copies of the comments should be sent to Turners Falls Hydro LLC, PO Box 149, Hamilton, MA 01936

Respectfully submitted,



Peter Clark  
Turners Falls Hydro LLC  
Manager