



**Vermont Department of Environmental Conservation**

*Agency of Natural Resources*

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February 27, 2015

Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

RE: Bellows Falls (P-1855), Wilder (P-1892), & Vernon (P-1904) Hydroelectric Projects  
Comments on Request for Extension of License Term

Dear Secretary Bose,

The Vermont Agency of Natural Resources (Agency) hereby files the attached Motion to Intervene and comments on TransCanada Hydro Northeast Inc.'s Request for an Extension of License Term for the Bellows Falls, Wilder, and Vernon Hydroelectric Projects located on the Connecticut River.

By letter dated January 16, 2015, TransCanada, licensee of the Bellows Falls, Wilder, and Vernon hydroelectric projects, requested a one-year license term extension for all three projects. The extension would move the license expiration dates from April 30, 2018 to April 30, 2019. TransCanada states that a one year delay would allow for completion of the studies delayed by the decommissioning of the Vermont Yankee Nuclear Power Plant and would enable the licensee to review and incorporate study results into each license application. TransCanada states that the extensions would help maintain the integrity of the Integrated Licensing Process, benefit relicensing participants during the pre-filing stage of relicensing, and avoid amendments to the final license applications.

The Agency supports TransCanada's request in principle. The Agency concurs with TransCanada's assessment that a license extension would benefit the relicensing process for the Bellows Falls, Wilder, and Vernon projects. An extension of the license term would provide for a robust study review process consistent with the Commission's regulations, while also allowing TransCanada to incorporate the results from aquatic studies into operations models, determine the potential effects of project operations on aquatic resources, and incorporate this information into the operations proposals included in the preliminary licensing proposals and draft license applications.

In order to issue the most effective terms and conditions for the Connecticut River projects, the Agency believes that the schedule for issuing terms and conditions for the TransCanada and FirstLight projects should occur on the same timeline. The Agency's interest in a coordinated review aligns with that of the Commission, who expressed during the scoping process the intent to prepare a multi-project environmental impact statement for all five Connecticut River projects. While an extension of the license term for the TransCanada projects is likely to benefit the relicensing proceedings for the Bellows Falls, Wilder, and Vernon projects, it could also introduce the potential for the relicensing schedules of the TransCanada and FirstLight projects to diverge. This risk would largely be mitigated if the Commission's environmental review continues to be dependent upon the determination of complete license applications for all five projects.

Thank you for the opportunity to comment.

Honorable Kimberly D. Bose, Secretary

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Sincerely,



Eric Davis

River Ecologist

Cc: Jeff Crocker, Vermont Department of Environmental Conservation  
Matt Chapman, Vermont Department of Environmental Conservation  
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Lael Will, Vermont Department of Fish & Wildlife  
Gregg Comstock, New Hampshire Department of Environmental Services  
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John Warner, United States Fish and Wildlife Service  
Melissa Grader, United States Fish and Wildlife Service  
David Deen, Connecticut River Watershed Council  
John Ragonese, TransCanada

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

In the Matter of:	)	FERC Project Nos. 1855-048
TransCanada Hydro Northeast Inc.	)	1892-028
Bellows Falls, Wilder, and Vernon Projects	)	1904-076

**MOTION TO INTERVENE**

Pursuant to Rule 214, 18 C.F.R. § 385.214, the Vermont Agency of Natural Resources (Agency), on behalf of the State of Vermont, hereby files this Motion to Intervene in the above-captioned proceeding. The Agency is a multi-department state agency which is charged with management of Vermont's natural resources and administration of all environmental permitting programs. The Agency consists of the Department of Environmental Conservation, the Department of Fish and Wildlife, and the Department of Forests, Parks, and Recreation. Pursuant to Vermont law, 10 V.S.A. § 1004, the Agency is the administering authority for Vermont's Water Quality Certification program as required under section 401 of the Clean Water Act (Federal Water Pollution Control Act), 33 U.S.C. § 1341. The Agency is further charged with coordinating the State's interests before the Federal Energy Regulatory Commission (Commission) in all matters involving water quality and regulation or control of natural stream flow through the use of dams situated on streams with the boundaries of Vermont. 10 V.S.A. § 1004.

The Agency's interests, in representing the State of Vermont, are not adequately represented by any other party to this proceeding. Existing parties will not be prejudiced, nor will they sustain additional burdens, by the Agency becoming a party to this proceeding.

For the reasons stated above, the Agency respectfully requests that the Commission grant the Agency full party status in this proceeding. The names and persons to whom communication regarding this motion should be addressed, and upon whom service of all pleadings or other documents should be made, are as follows:

**Legal Representative:**

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**Party:**

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Dated this 27 day of February 2015 in Montpelier, Vermont.

Respectfully Submitted,

State of Vermont  
Agency of Natural Resources



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Jeffrey B. Crocker  
Streamflow Protection Coordinator

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