

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

January 15, 2016

OFFICE OF ENERGY PROJECTS

Project No. 1892-026 – New Hampshire / Vermont  
Project No. 1855-045 – New Hampshire / Vermont  
Project No. 1904-073 – New Hampshire / Vermont  
TransCanada Hydro Northeast Inc.

John L. Ragonese  
Relicensing Project Manager  
TransCanada Hydro Northeast Inc.  
4 Park Street, Suite 402  
Concord, NH 03301

**Subject: Determination on Requests for Study Modifications and New Studies –  
Wilder, Bellows Falls, and Vernon Hydroelectric Projects**

Dear Mr. Ragonese:

Pursuant to 18 C.F.R. § 5.15 of the Commission’s regulations, this letter contains the determination on requests for modifications to the approved study plan for TransCanada Hydro Northeast Inc.’s (TransCanada) Wilder Hydroelectric Project, Bellows Falls Hydroelectric Project, and Vernon Hydroelectric Project. The determination is based on the study criteria set forth in sections 5.9(b), 5.15(d) and (e) of the Commission’s regulations, applicable law, Commission policy and practice, and staff’s review of the record of information.

Background

The study plan determination on non-aquatic studies proposed by TransCanada in support of its relicensing of the projects was issued on September 13, 2013. A subsequent study plan determination was issued on February 21, 2014 to address the proposed aquatic studies. TransCanada filed a study report for all ongoing studies on September 15, 2014. On January 22, 2015, the Commission issued a determination on requested study modifications and new studies. TransCanada filed a study report addressing one finalized study<sup>1</sup> and 32 ongoing studies<sup>2</sup> on September 14, 2015. As

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<sup>1</sup> TransCanada filed the final report for study 7 on March 2, 2015, and filed supplemental report data on September 14, 2015.

<sup>2</sup> TransCanada indicates that three of these studies are “complete pending modeling results.”

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required in section 5.15 of the Commission's regulations, the study report describes TransCanada's progress in implementing the approved study plan, and an explanation of variances from the study plan and schedule. TransCanada held study report meetings on October 1 and 2, 2015, and filed meeting summaries on October 14, 2015.

### Comments

Comments on the study report and meeting summaries, including requests for study modifications, were filed by the U.S. Fish and Wildlife Service, the New Hampshire Fish and Game Department, the Vermont Department of Environmental Conservation, the Nature Conservancy, the Connecticut River Watershed Council, and John Bruno. TransCanada filed reply comments on December 14, 2015.

A number of the comments received do not specifically request modifications to the approved studies, and are therefore not addressed herein. For example, some of the comments address the format of the study report and presentation of data, provide additional information, request information that TransCanada subsequently provided in its reply comments or agreed to provide in future reports, or request additional information collection that is contingent upon the results of ongoing studies. In addition, this determination does not address requests for study modifications or additional studies that have been addressed in previous Commission letters.

### Study Plan Determination

Pursuant to section 5.15(d) of the Commission's regulations, any proposal to modify a required study must be accompanied by a showing of good cause, and must include a demonstration that: (1) the approved study was not conducted as provided for in the approved study plan, or (2) the study was conducted under anomalous environmental conditions or that environmental conditions have changed in a material way. As specified in section 5.15(e), requests for new information gathering or studies must include a statement explaining: (1) any material change in law or regulations applicable to the information request, (2) why the goals and objectives of the approved study could not be met with the approved study methodology, (3) why the request was not made earlier, (4) significant changes in the project proposal or that significant new information material to the study objectives has become available, and (5) why the new study request satisfies the study criteria in section 5.9(b).

No requests were filed for additional studies and there were no requests for modification of the one finalized study. Multiple commenters<sup>3</sup> requested modification of ongoing studies 3, 5, 13, 14, 15, and 18. Commission staff have reviewed each of these

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<sup>3</sup> U.S. Fish and Wildlife Service, New Hampshire Fish and Game Department, Vermont Department of Environmental Conservation, Connecticut River Watershed Council, and John Bruno.

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study modification requests and the available information for each of the ongoing studies and determined that because the studies are incomplete, staff cannot determine the need for any of the requested modifications to studies 3, 5, 13, 14, 15, and 18 at this time. Finalized reports for these studies are expected to be filed on March 1, 2016.<sup>4</sup> Commission staff will address requests for study modifications on the final reports in the study modification letter scheduled to be issued on June 29, 2016.<sup>5</sup>

If you have any questions, please contact Brandon Cherry at (202) 502-8328, or via e-mail at [brandon.cherry@ferc.gov](mailto:brandon.cherry@ferc.gov).

Sincerely,

Ann F. Miles  
Director  
Office of Energy Projects

cc: Mailing List, Public Files

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<sup>4</sup> For any study that is not final on March 1, 2016, TransCanada must provide a schedule indicating when it will be completed and the finalized report will be filed with the Commission and made available to stakeholders. See the revised process plan and schedule issued on September 14, 2015.

<sup>5</sup> See the revised process plan and schedule issued on September 14, 2015.

Document Content(s)

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