



March 29 2016

VIA E-FILING

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N. E.
Washington, DC 20426

Suspension of Fish Passage Requirement
Gardners Falls Project – FERC No. 2334

Dear Secretary Bose:

Essential Power Massachusetts, LLC (EP) (formerly Consolidated Edison Energy Massachusetts, Inc.) received a new license for the Gardners Falls Project on April 4, 1997 (79 FERC ¶ 61,007). Article 404 required the Licensee develop a plan to monitor the effectiveness of permanent downstream fish passage facilities. In a subsequent order, dated June 14, 2001, the Commission approved a final downstream fish passage effectiveness report and recommended modifications (95 FERC ¶ 62,225). While the ordering paragraphs did not specifically modify the project description but the order described the facility as:

“The approved downstream fish passage facility consists of a minimum flow/fish passage gate and floating louver to guide downstream migrating fish to the gate.”

By order dated November 1, 2002, the Commission approved as-built fish passage drawings, Exhibit F-8 through F-16 (FERC Nos. 2334-2014 through 2022).

On February 24, 2016, Massachusetts Division of Fisheries & Wildlife (MDFW) notified EP (Attached) that with ending of the Massachusetts Atlantic salmon restoration program in 2013 and sufficient time for smolts to have left the Deerfield River system, there is no reason for Deerfield hydropower project owners to continue operation of downstream smolt passage facilities. Further MDFW states that it will support petitions to FERC to amend project licenses/exemptions to reflect these changes. By email dated March 24, 2016 (Attached), the US Fish and Wildlife Service (USFWS) provided concurrence with MDFW.

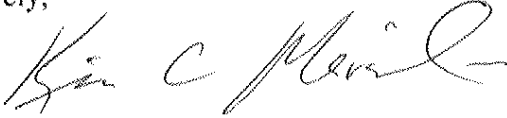
In order to address MDFW's stipulation for minimum flows, the minimum flow/fish passage gate will continue to be operated to provide minimum flows to the downstream reach.

Based upon MDFW's correspondence and USFWS concurrence, EP respectfully requests that the Commission approve discontinuation of operation of the downstream fish passage facilities

and delete from the project Exhibit F drawings F-8 through F-18, approved in the November 1, 2002 order.

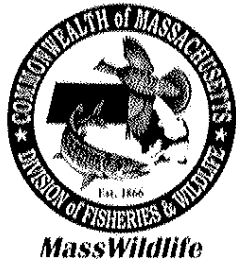
If you have any questions or require additional information regarding this filing, please contact me at 413.730.4271 (email: kim.marsili@essentialpowerllc.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Kim C. Marsili". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kim Marsili
Station Manager

cc: Thomas J. LoVullo (via email) – DHAC, Branch Chief - Aquatics
John Bahrs, VP. PGS. Essential Power LLC™
Gerald Adamski, Director of Compliance Essential Power LLC™

*Commonwealth of Massachusetts*

Division of Fisheries & Wildlife

Jack Buckley, Director

February 24, 2016

Deerfield River Project (FERC No 2323)

Gardners Falls Project (FERC No 2334)

RE: Atlantic Salmon downstream fish passage protection

Deerfield River Project Owners,

To protect Atlantic Salmon the Division requires hydroelectric dams in the basin to operate downstream passage measures for salmon smolts. These measures were incorporated into the Federal Energy Regulatory Commission (FERC) permits for these projects and are enforced by FERC.

The MA Atlantic Salmon restoration project ended in 2013. The last Atlantic Salmon fry were stocked in Massachusetts in the spring of that year. Deerfield River Atlantic Salmon typically smolt after two years in freshwater. Therefore most of those fry have smolted and left the system in the spring of 2015. As a result, the Division expects very few salmon smolts migrating downstream in spring of 2016. Given this, the Division does not believe there is any reason to continue to mandate the operation of smolt specific downstream passage measures beginning in 2016.

In cases where flow through the downstream bypass facility is part of a project's required minimum flow accommodations will need to be made to replace this flow from another source if the downstream bypass is closed.

The Division will support petitions to FERC to amend project Licenses/Exemptions to reflect these changes.

Please call me if you have any questions.

Caleb Slater
Anadromous Fish Project leader
(508) 389-6331

www.mass.gov/masswildlife

Division of Fisheries and Wildlife

Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890

An Agency of the Department of Fish and Game

Kim Marsili

From: Warner, John <john_warner@fws.gov>
Sent: Thursday, March 24, 2016 11:55 AM
To: Kim Marsili
Cc: Chris Tomichek (Chris.Tomichek@KleinschmidtGroup.com); Andy Qua (Andy.Qua@KleinschmidtGroup.com); Nicholas Hollister
Subject: Re: Downstream fish passage termination support request

Kim - I thought I had replied - sorry. We concur with MDFW on fish passage needs for Atlantic salmon smolts at Gardners Falls -- JW

On Thu, Mar 24, 2016 at 11:41 AM, Kim Marsili <Kim.Marsili@essentialpowerllc.com> wrote:

Mr. Warner,

Just checking in to see if you can support the request below. A positive response via email is sufficient. Thank you

Kim Marsili

Station Manager

Essential Power Massachusetts LLC

15 Agawam Ave

West Springfield Ma. 01089

Office Phone 413 730 4721

Cell Phone 413 627 9960

From: Kim Marsili
Sent: Thursday, March 10, 2016 3:08 PM

To: John.Warner@fws.gov

Cc: Chris Tomichuk (Chris.Tomichuk@KleinschmidtGroup.com); Andy Qua (Andy.Qua@KleinschmidtGroup.com); Nicholas Hollister

Subject: Downstream fish passage termination support request

Mr. Warner,

Attached is a letter I received from the MDFW stating that they will not be mandating the operation of downstream fish passage at our Gardners Falls facility. The letter also goes on to state the MDFW will support petitions to FERC to amend project Licenses/Exemptions to reflect the change.

Essential Power Massachusetts will be contacting FERC and requesting an amendment to our License. It would be very helpful if the USFW would respond back to this email in favor of our request to suspend operation of the downstream fish passage (i.e., stop installing the fish louvers) at our Gardners Falls Station.

Any assistance with this matter is appreciated.

Kim Marsili

Station Manager

Essential Power Massachusetts LLC

15 Agawam Ave

West Springfield Ma. 01089

Office Phone 413 730 4721

Cell Phone 413 627 9960

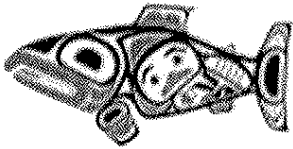
From: Slater, Caleb (FWE)

Sent: Wednesday, February 24, 2016 2:48 PM

To: 'Kim Marsili' (kim.marsili@naea.com); 'john_ragonese@transcanada.com'

Subject:

Please see attached...



Caleb Slater, PhD

Anadromous Fish Project Leader

Massachusetts Division of Fisheries and Wildlife

1 Rabbit Hill Road

Westborough, MA 01581

508-389-6331

www.mass.gov/masswildlife

--

John P. Warner
Assistant Supervisor, Migratory Fish/Hydropower
New England Field Office, U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, NH 0330-5087
phone: 603-223-2541, Ext. 6420
fax: 603-223-0104

Document Content(s)

FERC GardnersFalls DS Fish Passage.PDF1

155 FERC ¶ 62,117
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Essential Power Massachusetts, LLC

Project No. 2334-055

ORDER MODIFYING AND SUSPENDING LICENSE ARTICLES 403 AND 404

(Issued May 16, 2016)

1. On March 30, 2016, Essential Power Massachusetts, LLC, licensee for the Gardners Falls Project No. 2334, filed a request to discontinue operation of the downstream fish passage facilities required by Article 403 and 404 of the project license.¹ The project is located on the Deerfield River in Franklin County, Massachusetts. The project does not occupy federal lands.

REQUIREMENTS AND BACKGROUND

2. License Article 403 requires the licensee to file, for Federal Energy Regulatory Commission (Commission) approval, detailed design drawings of the proposed downstream fish passage facilities together with a plan and schedule to construct and install the facilities. The licensee is required to prepare the design drawings and schedule after consultation with the U.S. Fish and Wildlife Service (FWS) and the Massachusetts Division of Fisheries and Wildlife (Massachusetts DFW). In addition, the Article requires that the facilities operate April 1 through June 15 and from September 15 to November 15 each year.

3. License Article 404 requires the licensee to file, for Commission approval, a plan to monitor the effectiveness of the permanent downstream fish passage facilities required by Article 403 and associated operational flows to safely and efficiently pass Atlantic salmon smolts down the Deerfield River past the Gardners Falls Project. The licensee's plan was approved by order dated June 1, 2001² and the as-built drawings under Article 403 were approved by the Commission on November 1, 2002.

¹ Order Issuing New License (79 FERC ¶ 61,007), issued April 4, 1997.

² Order Approving Final Downstream Fish Passage Effectiveness Report and Recommended Modifications (95 FERC ¶ 62,225).

LICENSEE'S REQUEST

4. In its filing, the licensee requested to discontinue operation of the downstream fish passage facilities approved in Article 403, suspend monitoring of the facilities required in Article 404, and delete Exhibit F drawings F-8 through F-18 from its project license. On May 6, 2016, Commission staff requested that the licensee clarify if downstream facilities would actually physically be removed from the project, necessitating deletion of certain Exhibit F drawings. In response, the licensee stated that facilities would not physically be removed and would therefore rescind its request to delete the aforementioned Exhibits.³

CONSULTATION

5. The licensee's filing indicates that it was notified by the Massachusetts DFW on February 24, 2016, that it was no longer necessary for hydroelectric project owners on the Deerfield River to operate downstream fish passage facilities at their projects for Atlantic salmon smolts beginning in 2016. In its letter, it stated that the Massachusetts Atlantic salmon restoration effort ended in 2013 and that it expected any Atlantic salmon fry to smolt and out-migrate after two years in freshwater (2015). The FWS concurred with the Massachusetts DFW's comments and the licensee's request on March 24, 2016.

CONCLUSION

6. Articles 403 and 404 were intended to support Atlantic salmon restoration efforts in the Deerfield River. The resource agencies agree that the efforts are not likely to provide any measureable benefit without continued stocking efforts and that the two years should have provided sufficient time for any fish stocked in 2013 to smolt and out-migrate. In the event that the Massachusetts DFW reinitiates Atlantic salmon restoration efforts in the future, the Commission reserves the right to reinstate Articles 403 and 404. For these reasons, the licensee's request to discontinue operation of downstream fish passage facilities and suspend the requisite effectiveness monitoring is reasonable and therefore, should be approved.

³ Email communication on May 9, 2016 with the licensee and Joseph Enrico, Commission staff.

Project No. 2334-055

- 3 -

The Director orders:

(A) Essential Power Massachusetts, LLC's (licensee) request, filed with the Federal Energy Regulatory Commission (Commission) on March 30, 2016, to suspend the requirements of Articles 403 and 404 of the license for the Gardner Falls Hydroelectric Project No. 2334, as modified in paragraph B, is approved.

(B) The Commission reserves the right to reinstate Articles 403 and 404 based on fishery management information provided by the licensee, the U.S. Fish and Wildlife Service or the Massachusetts Division of Fisheries and Wildlife.

(C) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825l (2012), and the Commission's regulations at 18 CFR § 385.713 (2015). The filing of a request for hearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Thomas J. LoVullo
Chief, Aquatic Resources Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

p-2334-055.DOC.....1

158 FERC ¶ 62,009
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Essential Power Massachusetts, LLC
Nautilus Hydro, LLC

Project No. 2334-056

ORDER APPROVING TRANSFER OF LICENSE

(Issued January 5, 2017)

1. On October 28, 2016, Essential Power Massachusetts, LLC (transferor) and Nautilus Hydro, LLC (transferee) filed a request to transfer the license for the Gardners Falls Project No. 2334, from the transferor to the transferee. The project is located on the Deerfield River in Franklin County, Massachusetts. The project does not occupy Federal lands.

2. The Commission issued a 40-year license to Western Massachusetts Electric Company on April 4, 1997.¹ By order dated June 30, 1999,² the Commission approved the transfer of license to Consolidated Edison Energy Massachusetts, Inc. By order dated March 3, 2008,³ the Commission approved the transfer of license to Consolidated Edison Energy Massachusetts, LLC. By order dated March 13, 2012,⁴ the Commission approved

¹ Order Issuing New License. *Western Massachusetts Electric Company*, 79 FERC ¶ 61,007 (1997).

² Order Approving Transfer of License. *Western Massachusetts Electric Company, Consolidated Edison Energy, Inc., Consolidated Edison Energy Massachusetts, Inc.*, 87 FERC ¶ 62,376 (1999).

³ Order Approving Transfer of License. *Consolidated Edison Energy Massachusetts, Inc. and Consolidated Edison Energy Massachusetts, LLC*, 122 FERC ¶ 62,209 (2008). On June 9, 2008, Consolidated Edison Energy Massachusetts, Inc. filed a notice of name change to North American Energy Alliance Massachusetts, LLC.

⁴ Order Amending License and Exemptions. *North American Energy Alliance Massachusetts, LLC and EP Energy Massachusetts, LLC*, 138 FERC ¶ 62,228 (2012).

the change of licensee name to EP Energy Massachusetts, LLC. By order dated March 1, 2016,⁵ the Commission approved the change of licensee name to Essential Power Massachusetts, LLC.

Public Notice

3. The Commission issued a public notice of the current application for transfer of licensee on November 8, 2016, establishing December 8, 2016, as the deadline for filing comments, motions to intervene, and protests. No comments, motions to intervene, or protests were filed.

Review

4. The transferor agrees to pay annual charges that have accrued up to the date of the transfer. The transferee will be required to comply with the requirements of the license as though it were the original licensee. The transfer of license for this project is consistent with the Commission's regulations and is in the public interest.

The Director orders:

(A) The transfer of the license for the Gardners Falls Project No. 2334 from Essential Power Massachusetts, LLC to Nautilus Hydro, LLC, filed on October 28, 2016, is approved as modified by paragraphs (B) and (C) below.

(B) Essential Power Massachusetts, LLC shall pay all annual charges that accrue up to the effective date of the transfer.

(C) Approval of the transfer of license is contingent upon: (1) transfer of title of the properties under license, transfer of all project files including all dam safety related documents, and delivery of all license instruments to Nautilus Hydro, LLC, which shall be subject to the terms and conditions of the license as though it were the original licensee; and (2) Nautilus Hydro, LLC acknowledging acceptance of this order and its terms and conditions by signing and returning the attached acceptance sheet. Within 60 days from the date of this order, Nautilus Hydro, LLC shall submit certified copies of all instruments of conveyance and the signed acceptance sheet.

⁵ Order Amending Exemptions and License. *EP Energy Massachusetts, LLC and Essential Power Massachusetts, LLC*, 154 FERC ¶ 62,142 (2016).

Project No. 2334-056

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(D) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825f (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2016). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

CarLisa Linton
Deputy Director
Division of Hydropower Administration
and Compliance

IN TESTIMONY of its acknowledgment of acceptance of all of the terms and conditions of this order, _____ this _____ day of _____, 20____, has caused its corporate name to be signed hereto by _____, its President, and its corporate seal to be affixed hereto and attested by _____ its Secretary, pursuant to a resolution of its Board of Directors duly adopted on the _____ day of _____, 20____, a certified copy of the record of which is attached hereto.

By _____

Attest:

Secretary
(Executed in triplicate)

Document Content(s)

P-2334-056.DOCX.....1



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Julia S. Wood
(202) 298-1938
jsw@vnf.com

February 24, 2017

VIA ELECTRONIC FILING

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

**Re: Gardner Falls Project No. 2334-056
Request for Extension of Time to Comply with Ordering Paragraph
(C) of Order Approving Transfer of License**

Dear Secretary Bose:

Pursuant to the provisions of Rule 2008 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (FERC or Commission),¹ Nautilus Hydro, LLC (Nautilus Hydro), Transferee of the Gardners Falls Project (Project), respectfully requests a 60-day extension of time to submit to the Commission certified copies of the instruments of conveyance and the signed acceptance sheet required by Ordering Paragraph (C) of the Commission's January 5, 2017 Order Approving Transfer of License.² As discussed below, additional time is required to effectuate the conveyance of Project files necessary to complete the license transfer.

In the Transfer Order, the Commission approved Essential Power Massachusetts, LLC's (Essential Power Massachusetts) request to transfer the Project license to Nautilus Hydro as a part of a corporate restructuring. Consistent with standard Commission practice, Ordering Paragraph (C) of the Transfer Order provides that the transfer is contingent upon transfer of title of the properties under license, transfer of all Project files, and delivery of all license instruments to Nautilus Hydro. The Transfer Order requires Nautilus Hydro to submit to the Commission within 60 days (i.e., by March 6, 2017) the license acceptance sheet and certified copies of the instruments of conveyance.

¹ 18 C.F.R. § 385.2008 (2016).

² *Essential Power Mass., LLC*, 158 FERC ¶ 62,009 (2017) (Transfer Order).

As Essential Power Massachusetts and Nautilus Hydro indicated in the license transfer application, the corporate restructuring necessitating the Project license transfer also involves the transfer to Nautilus Hydro of four hydropower exemptions. Transfer of the licensed and exempted properties, including the relevant files for all five projects, will be accomplished simultaneously. Additional time is needed to complete certain preliminary steps necessary to effectuate the transfer of the property to Nautilus Hydro, and in particular finalization of the forms of the interconnection agreements associated with each of the five projects. Therefore, Nautilus Hydro requests a 60-day extension of time, from March 6, 2017 to May 5, 2017, to submit to the Commission the instruments of conveyance for the Project and signed acceptance sheet required by Ordering Paragraph (C) of the Transfer Order.³

Please contact the undersigned if you have any questions regarding this matter.

Respectfully submitted,



Julia S. Wood

Counsel for Nautilus Hydro, LLC

³ As Essential Power Massachusetts and Nautilus Hydro noted in the transfer application for the Project, Essential Power Massachusetts will notify the Commission within 30 days of transferring the property interests associated with the exemptions, to inform the Commission of the identify and address of Nautilus Hydro as the new exemptee, as required by Section 4.106(i) of the Commission's regulations.

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in these proceedings.

Dated at Washington, DC, this 24th day of February, 2017.

/s/ Mealear Tauch
Mealear Tauch
Van Ness Feldman, LLP
1050 Thomas Jefferson Street, N.W.
Seventh Floor
Washington, D.C. 20007-3877
Telephone: (202) 298-1800
Facsimile: (202) 338-2416

Document Content(s)

Nautilus EOT Request for License Transfer Acceptance.PDF1

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Essential Power Massachusetts, LLC
Nautilus Hydro, LLC

Project No. 2334-056

ORDER GRANTING EXTENSION OF TIME

(Issued March 9, 2017)

1. On February 24, 2017, Nautilus Hydro, LLC (transferee) filed a request for an extension of time to file documents as required by ordering paragraph (C) of an Order Approving Transfer of License¹ for the Gardners Falls Project No. 2334. The project is located on the Deerfield River in Franklin County, Massachusetts. The project does not occupy Federal lands.

Background

2. Ordering paragraph (C) states:

Approval of the transfer is contingent upon: (1) transfer of title of the properties under license, transfer of all project files including all dam safety related documents, and delivery of all license instruments to Nautilus Hydro, LLC, which shall be subject to the terms and conditions of the license as though it were the original licensee; and (2) Nautilus Hydro, LLC acknowledging acceptance of this order and its terms and conditions by signing and returning the attached acceptance sheet. Within 60 days from the date of this order, Nautilus Hydro, LLC shall submit certified copies of all instruments of conveyance and the signed acceptance sheet.

3. The transferee states that the corporate restructuring necessitating the project license transfer also involves the transfer to the transferee of four hydropower exemptions. Transfer of the license and exempted properties, including the relevant files for all five projects, will be accomplished simultaneously. Additional time is needed to complete certain preliminary steps necessary to effectuate the transfer of the property to the transferee and in particular finalization of the forms of the interconnection agreements associated with each of the five projects. The transferee is requesting an extension of time until May 5, 2017, to file the information required by ordering paragraph (C).

¹ Order Approving Transfer of License. *Essential Power Massachusetts, LLC and Nautilus Hydro, LLC*, 158 FERC ¶ 62,009 (2017).

Project No. 2334-056

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Review

4. The transferee filed the extension of time request prior to the deadline, and the reason advanced by the applicant in support of the extension is reasonable and justifies the extension.

The Director orders:

(A) The deadline for satisfying the requirements of ordering paragraph (C) of an Order Approving Transfer of License for the Gardners Falls Project No. 2334 is extended until May 5, 2017.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section (§) 313(a) of the Federal Power Act, 16 U.S.C. § 825l (2012), and the Commission's regulations 18 C.F.R. § 385.713 (2016). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

CarLisa Linton
Deputy Director
Division of Hydropower Administration
and Compliance

Document Content(s)

P-2334-056.DOC.....1



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Julia S. Wood
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May 3, 2017

VIA ELECTRONIC FILING

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

**Re: Gardners Falls Project, Project No. 2334-056
Request for Additional Extension of Time to Comply with Ordering
Paragraph (C) of Order Approving Transfer of License**

Dear Secretary Bose:

Pursuant to the provisions of Rule 2008 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (Commission),¹ Nautilus Hydro, LLC (Nautilus Hydro), Transferee of the Gardners Falls Project (Project), respectfully requests an additional 60-day extension of time to submit to the Commission certified copies of the instruments of conveyance and the signed acceptance sheet required by Ordering Paragraph (C) of the Commission's January 5, 2017 Order Approving Transfer of License.² As discussed below, additional time is required to execute the deed for the Project properties.

In the Transfer Order, the Commission approved Essential Power Massachusetts, LLC's (Essential Power Massachusetts) request to transfer the Project license to Nautilus Hydro as a part of a corporate restructuring. Consistent with standard Commission practice, Ordering Paragraph (C) of the Transfer Order provides that the transfer is contingent upon transfer of title of the properties under license, transfer of all Project files, and delivery of all license instruments to Nautilus Hydro. The Transfer Order required Nautilus Hydro to submit to the Commission within 60 days (i.e., by March 6, 2017) the license acceptance sheet and certified copies of the instruments of conveyance. On February 24, 2017, Nautilus Hydro filed a request for a 60-day extension of time to

¹ 18 C.F.R. § 385.2008 (2016).

² *Essential Power Mass., LLC*, 158 FERC ¶ 62,009 (2017) (Transfer Order).

comply with Ordering Paragraph (C). On March 9, 2017, the Commission issued an order granting an extension of time to file the required documents until May 5, 2017.³

As Essential Power Massachusetts and Nautilus Hydro indicated in the license transfer application, the corporate restructuring necessitating the Project license transfer also involves the transfer to Nautilus Hydro of four hydropower exemptions. On April 13, 2017, Essential Power Massachusetts completed the corporate restructuring and contributed all five projects to Nautilus Hydro. However, the new interconnection agreement between Western Massachusetts Electric Company (WMECO) and Nautilus Hydro for the Gardners Falls Project, filed on March 29, 2017, remains pending before the Commission in Docket No. ER17-1336.⁴ The Commission has issued notice of, but not yet accepted, the interconnection agreement. While the Project has been contributed to Nautilus Hydro, under Massachusetts law, Nautilus Hydro must have a definitive date for real property transfers to execute the deed. However, such date cannot be specified until the effective date of the interconnection agreement for the Project is known. Accordingly, Nautilus Hydro cannot submit a certified copy of an executed deed in this proceeding until the Commission approves the interconnection agreement for the Project in Docket No. ER17-1336.

For this reason, Nautilus Hydro requests an additional 60-day extension, from May 5, 2017 to July 4, 2017, to submit to the Commission the instruments of conveyance for the Project and signed acceptance sheet required by Ordering Paragraph (C) of the Transfer Order.⁵

Please contact the undersigned if you have any questions regarding this matter.

Respectfully submitted,



Julia S. Wood

Counsel for Nautilus Hydro, LLC

³ Essential Power Massachusetts, LLC, Order Granting Extension of Time, Project No. 2334-056 (issued Mar. 9, 2017).

⁴ Western Massachusetts Electric Co., Two Party Generator Interconnection Agreement for the Gardners Falls Project, Docket No. ER17-1336-000 (filed Mar. 29, 2017).

⁵ As Essential Power Massachusetts and Nautilus Hydro noted in the transfer application for the Project, Essential Power Massachusetts will notify the Commission within 30 days of transferring the property interests associated with the exemptions, to inform the Commission of the identity and address of Nautilus Hydro as the new exemptee, as required by Section 4.106(i) of the Commission's regulations.

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC, this 3rd day of May, 2017.

/s/ Mealear Tauch
Mealear Tauch
Van Ness Feldman, LLP
1050 Thomas Jefferson Street, N.W.
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Document Content(s)

2017-05-03 Request for Additional Extension.PDF.....1



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Julia S. Wood
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June 20, 2018

VIA E-FILING

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

**Re: Nautilus Hydro, LLC, Project No. 2334;
Project No. 10675; Project No. 10676;
Project No. 10677; Project No. 10678**

Notice of Name Change

Dear Secretary Bose:

This letter serves to notify the Commission that the licensee/exemptee of the following hydroelectric projects (Projects) has changed its name from Nautilus Hydro, LLC to Central Rivers Power MA, LLC, effective May 22, 2018:

| Project Number | Project Name |
|-----------------------|------------------------------------|
| P-2334 | Gardners Fall Project (license) |
| P-10675 | Dwight Station Project (exemption) |
| P-10676 | Red Bridge Project (exemption) |
| P-10677 | Putts Bridge Project (exemption) |
| P-10678 | Indian Orchard Project (exemption) |

This is a change of corporate name of the licensee/exemptee only; there has been no change in the legal entity holding the license and exemptions for the Projects. Documents evidencing this name change filed with the State of Delaware are attached.

Accordingly, the licensee/exemptee hereby requests that the Commission change its records and issue an order amending the license and exemptions for the Projects to reflect the change in name of the licensee/exemptee to Central Rivers Power MA, LLC, effective May 22, 2018. If you have any questions or require additional information, please contact the undersigned.

Respectfully submitted,

/s/ Julia S. Wood

Julia S. Wood

Van Ness Feldman LLP

Counsel for Central Rivers Power MA, LLC

Attachment

ATTACHMENT A

State of Delaware Certificate of Amendment (Issued May 22, 2018)

State of Delaware
Secretary of State
Division of Corporations
Delivered 12:35 PM 05/22/2018
FILED 12:35 PM 05/22/2018
SR 20184125351 - File Number 6174233


Certificate of Amendment to Certificate of Formation
of
Nautilus Hydro, LLC.

It is hereby certified that:

1. The certificate of formation of the limited liability company is hereby amended by striking out the statement of the name of the limited liability company and by substituting in lieu thereof the following new statement:

"The name of the limited liability company is Central Rivers Power MA, LLC."

IN WITNESS WHEREOF, the undersigned has executed this Certificate on the 22nd of day May, 2018.


Ryan McQueeney

Delaware

The First State

Page 1

*I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT
COPY OF THE CERTIFICATE OF FORMATION OF "NAUTILUS HYDRO, LLC",
FILED IN THIS OFFICE ON THE TWENTIETH DAY OF OCTOBER, A.D.
2016, AT 3:08 O`CLOCK P.M.*



Jeffrey W. Bullock, Secretary of State

6174233 8100
SR# 20166292252

Authentication: 203196113
Date: 10-20-16

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State of Delaware
Secretary of State
Division of Corporations
Delivered 03:08 PM 10/20/2016
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SR 20166292252 - File Number 6174233

CERTIFICATE OF FORMATION**OF****NAUTILUS HYDRO, LLC**

1. The name of the limited liability company is Nautilus Hydro, LLC.
2. The address of its registered office in the State of Delaware is 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808. The name of its registered agent at such address is Corporation Service Company.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation this 20th day of October, 2016.



Lisa Krueger, Organizer

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC, this 20th day of June, 2018.

/s/ Mealear Tauch
Mealear Tauch
Van Ness Feldman, LLP
1050 Thomas Jefferson Street, N.W.
Seventh Floor
Washington, D.C. 20007-3877
Telephone: (202) 298-1800
mzt@vnf.com

Document Content(s)

2018-06-20 Nautilus Hydro Filing.PDF1

164 FERC ¶ 62,032

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSIONNautilus Hydro, LLC
Central Rivers Power MA, LLCProject Nos. 2334-057, 10675-020,
10676-025, 10677-022, and
10678-025ORDER AMENDING LICENSES AND EXEMPTIONS TO CHANGE LICENSEE
AND EXEMPTEE NAMES

(Issued July 18, 2018)

1. On June 20, 2018, Nautilus Hydro, LLC, filed a notice advising the Commission that it had changed its name from Nautilus Hydro, LLC to Central Rivers Power MA, LLC for the projects listed in the table below.

| Project Numbers | Project Names | Locations |
|--------------------|----------------|--------------------------------------|
| P-2334, license | Gardners Fall | Deerfield River, Franklin County, MA |
| P-10675, exemption | Dwight Station | Chicopee River, Hamden County, MA |
| P-10676, exemption | Red Bridge | Chicopee River, Hamden County, MA |
| P-10677, exemption | Putts Bridge | Chicopee River, Hamden County, MA |
| P-10678, exemption | Indian Orchard | Chicopee River, Hamden County, MA |

2. Nautilus Hydro, LLC states that this is a change of name only and that there has been no change in the legal entities holding the license and exemptions.

3. The licensee and exemptee should ensure that all of the references to “Nautilus Hydro, LLC” are changed, including but not limited to, the projects’ Part 8 signs, any safety signs with the licensee’s or exemptee’s name on them, and any other directional signs. The projects should reflect the new licensee and exemptee name “Central Rivers Power MA, LLC.” This change is administrative and does not change any other conditions or requirements of the projects. The licensee’s and exemptee’s request to change its name is approved.

The Director orders:

(A) The license and exemptions mentioned in the table are amended to change the licensee’s and exemptee’s name from Nautilus Hydro, LLC to Central Rivers Power MA, LLC.

Project Nos. 2334-057, *et al.*

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(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section (§) 313(a) of the Federal Power Act, 16 U.S.C. § 825l (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2017). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

CarLisa Linton
Acting Director
Division of Hydropower Administration
and Compliance

Document Content(s)

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