



December 28, 2012

David Brown Kinloch, President/CEO  
Lock 7 Hydro Partners, LLC  
414 South Wenzel Street  
Louisville, KY 40204

Subject: Mother Ann Lee Project (FERC No. 539)  
Re-Certification Decision Letter  
LIHI Certificate No. 24

Dear Mr. Kinloch:

I am delighted to report that the Low Impact Hydropower Institute has determined that the Mother Ann Lee Project continues to meet the LIHI Certification Criteria. This letter summarizes our review process and reasons for LIHI's Re-Certification decision. A letter report by Sarah A. Verville, our Application Reviewer, is attached (pdf entitled "*Recertification Recommendation for the Mother Ann Lee Project Hydroelectric Project – December 5, 2012*").

An original LIHI certificate will be forwarded to you once the Governing Board Chair and Secretary have executed it.

A review of the Federal Energy Regulatory Commission (FERC) website found that there were no unresolved issues found over the term of the last certificate. In reaching the decision to re-certify Mother Ann Lee Project, I reviewed the application for certification, supporting documents and communicated with stakeholders.

LIHI's Certification Handbook explains the review process regarding Applications for Recertification. The handbook describes how a request for renewal of a previously-issued LIHI certification ("re-certification") will be granted at the conclusion of the term of the existing certification if re-certification is desired by the certificate holder, and so long as:

- (1.) There have been no "material changes" at the facility that would affect the certification and
- (2.) LIHI's certification criteria have not been revised since the previous certification was issued by LIHI."

Based on the submitted application materials, a review of the LIHI file containing the past certification decision, and any limited reviewer-initiated questioning by LIHI of the applicant and/or third parties, I have concluded that the answer to both questions above is "no," and

there will be no further application review. The LIHI re-certification for the Mother Ann Lee Hydroelectric Project is granted for a five-year term beginning on August 11, 2011 and expires on August 11, 2016.

During the time the Mother Ann Lee Hydroelectric Project is certified, you may market the Project as a LIHI certified facility. It is your responsibility to maintain compliance with the certification criteria and to notify us of any changed conditions relevant to the certification. This could include changes in agency recommendations or changes in operations. You will also be asked to fill out a short form each year to confirm compliance during the preceding year. The Institute may also conduct occasional follow-up checks with you and/or relevant resource agencies to ensure that the Mother Ann Lee Hydroelectric Project remains in compliance.

I strongly recommend you to review LIHI's Certification Use Requirements (addressing the language to be used for describing a LIHI Certified Facility for marketing purposes), our Compliance standards and the penalties for non-compliance, as well as current information about renewing your certification. That information, as you know, is available at the LIHI website ([www.lowimpacthydro.org](http://www.lowimpacthydro.org)). If you have any questions about any of those materials, please call.

If the Institute identifies a problem with Mother Ann Lee Hydroelectric Project's compliance with the certification criteria, it will evaluate the situation and take any necessary actions. In the case of non-compliance, possible responses include the suspension or revocation of the certification. Factors to be considered would include the scope, duration, and intensity of any non-compliance, its effects on the environment, whether the violation was intentional or not, and whether or not there was a valid reason (e.g., public safety) for the non-compliance.

All applicants for certification that have been filed an initial LIHI application after November 7, 2007 will be invoiced an Annual Fee on the first anniversary of their certification date. All existing certificate holders filing for recertification after November 7, 2007 will be billed the recertification processing fee and, after the first anniversary of their re-certification date will be invoiced an Annual Fee. The certificate holder will not be charged an Annual Fee during the year the Recertification Processing Fee has been invoiced.

The Annual Fee will be 15% of the original Application Processing Fee and the Annual Fee invoicing will be coordinated with the Annual Compliance mailing sent to all certificate holders on their first and subsequent anniversaries.

Thank you for your continued interest in the LIHI Certification Program, and congratulations on securing LIHI Certification for the Mother Ann Lee Hydroelectric Project. Please contact me at 207-798-3785 if you have any questions, or if I can be of any assistance.

Sincerely,



Patricia McIlvaine  
Acting Executive Director