

Appendix 1

Ownership/Regulatory Status

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On February 16, 1981 the City of Nashua, New Hampshire applied for and received a minor FERC license for a 1,000 kW project involving the construction of a new powerhouse on the right bank of the Nashua River at the Jackson Mills dam, circa 1980. On April 22nd, 1980, as part of it's FERC licensing process, the City of Nashua submitted a request for a fill and dredge permit to the State of New Hampshire Water Supply and Pollution Control Commission to construct a powerhouse and temporary cofferdam, see Exhibit 1-A. On May 21, 1981, the City's request for a fill and dredge permit was approved by the New Hampshire Water Supply and Pollution Control Commission and the project was issued a certificate pursuant to sections 401(a)(1) and 401(d) of the Federal Water Supply and Pollutions Control Act. (see Exhibit 1-B)

On February 16, 1983, The City of Nashua selected Essex Development Associates, Inc. (EDAI) as the developer of the proposed Jackson Mills Hydroelectric Plant. After considerable study, EDAI concluded that the most cost-effective development of the Jackson Mills project ("the project") would be on the left bank of the Nashua River. To receive authorization for the left bank development, which differed from the right bank development originally license by the FERC, and to establish its legal position as the developer, EDAI filed an Order No. 202 Notice of Exemption for the Jackson Mills site with the FERC on September 18, 1983. (see Exhibit 1-C).

In 1984, EDAI formed Nashua Hydro Associates, a special purpose New Hampshire Limited Partnership to develop the Jackson Mills Hydroelectric site. An Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or less was granted to Nashua Hydro Associates (FERC Project No. 7590) on January 14, 1984. Nashua Hydro Associates proceeded to construct the Jackson Mills Hydroelectric Project powerhouse and install a single propeller-type turbine with an installed capacity of 1.1MW on the left bank of the Nashua River at the base of the Jackson Mills Dam (No. 165.02 in the New Hampshire Water Resource's Board files) in the City if Nashua, New Hampshire.

EDAI, a General Partner of Nashua Hydro Associates signed a 30-year variable rent lease with the City of Nashua on July 18th, 1984, the first day of commercial operation.

There have been no changes in the regulatory status of the project since 1984 nor have there been any agency comments noting deficiencies in the project's compliance with various conditions contained in the documents related to the FERC exemption and agency review of the project.