

50 ferc 62, 035  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Massachusetts Water Resources      Project No. 10688-000  
Authority                                  Massachusetts

ORDER GRANTING EXEMPTION FROM LICENSING  
(CONDUIT)  
JANUARY 19, 1990

On November 4, 1988, the Massachusetts Water Resources Authority filed an application to exempt the Cosgrove Intake and Power Plant Project from the licensing requirements set forth in Part I of the Federal Power Act. The proposed small hydropower project is described in the attached public notice. 1/ The comments of interested agencies and individuals, including the U.S. Fish and Wildlife Service and the state fish and wildlife agency, have been fully considered in determining whether to issue this exemption from licensing.

Article 2 of this exemption requires compliance with the terms and conditions prepared by federal or state fish and wildlife agencies to protect fish and wildlife resources. These mandatory terms and conditions are contained in any attached letters commenting on the exemption application. 2/ If contested, the Commission will determine whether any mandatory term or condition is outside the scope of article 2.

After considering the mandatory terms and conditions designed to protect fish and wildlife resources, the environmental information in the exemption application, the staff's independent assessment, and other public comments, the Director finds that issuance of this order is not a major federal action significantly affecting the quality of the human environment.

- 1/ No protests or motions to intervene were filed.
- 2/ No relevant letters are attached to this order from resource agencies, even though the U.S. Department of the Interior filed on September 5, 1989, terms and conditions that staff has determined are not related or germane to the project or its operation.

-2-

The Director orders:

(A) The Cosgrove Intake and Power Plant Project is exempted from the licensing requirements of Part I of the Federal Power Act, subject to the attached standard articles.

(B) Article 2 of this exemption is amended to include the National Marine Fisheries Service as a fish and wildlife agency that can provide terms and conditions.

(C) The exemptee shall serve copies of any Commission filing required by this order on any entity specified in this order to be consulted on matters related to that filing. Proof of service on these entities must accompany the filing with the Commission.

(D) This order is issued under authority delegated to the Director and is final unless appealed to the Commission within 30 days from the date of this order.

Dean L. Shumway  
Director, Division  
of Project Review

- a. Type of Application: Conduit Exemption
- b. Project No.: 10688-000
- c. Date Filed: November 4, 1988
- d. Applicant: Massachusetts Water Resources Authority,  
Waterworks Division
- e. Name of Project: Cosgrove Intake and Power Plant Project
- f. Location: On the Cosgrove Aqueduct at the Wachusett  
Reservoir in Worcester County, Massachusetts
- g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a) -  
825(r)
- h. Applicant Contact: Mr. William A. Brutsch  
Massachusetts Water Resources Authority  
Waterworks Division  
100 First Avenue, Charlestown Navy Yard

Boston, MA 02129  
(617) 242-6000

- i. FERC Contact: Steven H. Rossi, (202) 376-9814
- j. Comment Date:
- k. Description of Project: The existing operating project consists of: (1) two turbine-generator units each rated at 1,700 kW for a total installed capacity of 3,400 kW; and (2) appurtenant facilities. The project generates an average of 23,500 MWh annually. The project is owned by the Metropolitan District Commission. The project is operated and maintained by the applicant.
- l. Purpose of Project: Project power would continue to be sold to the New England Power Company and Boston Edison Company.
- m. This notice also consists of the following standard paragraphs: A3, A9, B, C, D3b.