

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

A & D Hydro, Inc.

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Project No. 7254-001

ORDER AMENDING EXEMPTION

APR 28 1998

On February 11, 1997, and supplemented on May 11, 1997, and April 8, 1998, A & D Hydro, Inc., exemptee for the West Dudley Project, FERC No. 7254 filed an application to amend its exemption. The exemptee filed the application to correct discrepancies in the project's features as described in the exemption. 1/ The project is located on the Quinebaug River in Worcester County, Massachusetts.

BACKGROUND

On June 10, 1983, the Commission issued the exemption for the West Dudley Project. Paragraph (4)(i) of the Notice of Exemption, describes the project consisting of:

..." The dam, including existing flashboards 2.0 feet in height, averages about 17.0 feet in height above the streambed, and develops a gross head of 13.0 feet, between the tailrace elevation of 364.5 feet and the 377.5 foot elevation of the dam and flashboards. At elevation 377.5 feet, the related impoundment has a gross storage capacity of 201 acre feet...."

APPLICATION

In the February 11, 1997, filing the exemptee has requested revisions to paragraph (4)(i) of the exemption to correct three discrepancies in the description of the project: the existing flashboards are 4.0 feet high (not 2.0 feet); the impoundment surface elevation is 381.3 feet NGVD (not 377.5 feet); and the minimum tailwater elevation is 368.4 feet NGVD. (not 364.5 feet). The exemptee also states in the filing that no changes have been made to increase the impoundment elevation, or to alter the capacity or hydraulic discharge of the project's turbines. The project's maximum gross head is demonstrably less than 13 feet.

In the May 11, 1997, filing the exemptee included the following documentation that further explains the amendment application:

- Letter from Leffel Turbine Co. dated September 27, 1978, which describes the original installation of the units, in 1918. The document specifies the design head of 13 feet.

1/ See, 25 FERC ¶62,336.

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- Letter from George Lagassa of Mainstream Associates (previous project owner) dated October 5, 1990, attesting to the legitimacy of the existing 4.0-foot-high flashboards.
- Result of Cullinan Engineering survey dated September 23, 1993. The survey indicates a top-of-concrete elevation at the northwest corner of the powerhouse deck of 384.005 feet NGVD.
- A revised exhibit drawing, which incorporates new NGVD elevations for all project structures. (See Figure 1)

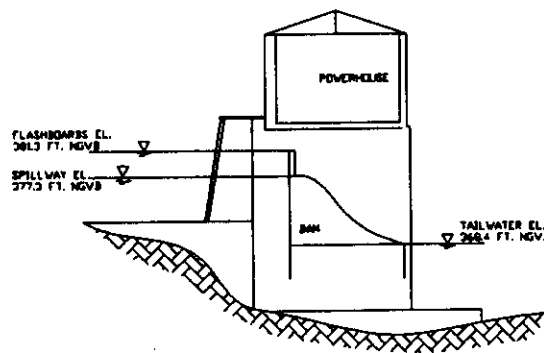


Figure 1 POWERHOUSE & DAM SECTION

REVIEW

A. Consultation

On September 4, 1997, the Commission issued a public notice concerning the amendment application. In a letter filed on October 27, 1997, the Fish and Wildlife Service, New England Office (FWS), did not object to the amendment. However, they expressed their concerns of the possibility of the reservoir being drawingdown for dam maintenance or emergency repairs. By letter dated March 31, 1998, the FWS proposed a small modification to the standard refill recommendations as stated in the exemption's mandatory terms and conditions. In a letter filed with the Commission on April 8, 1998, the exemptee accepted the modified terms and conditions as specified by FWS.

B. Exhibits

Staff review of the project found the Commission has not approved as-built exhibits for this project. The exhibits are pursuant to 18 C.F.R. § 4.107, which requires the exemptee to file the following exhibit drawings: Exhibit B, a general

location map showing physical features, project boundary, and land ownership; and Exhibit G, a set of drawings showing the structures and equipment necessary to show the proposed features. Staff determined that the as-built exhibit G-1 filed May 11, 1997, with the amendment application, conforms to the Commission's rules and regulations, and will be incorporated into the exemption by this order. In addition, this order will require the exemptee to file as-built Exhibit B drawings for approval.

This order corrects minor discrepancies within the project description for the West Dudley Project. The amendment does not authorize an increase in the plant's hydraulic or storage capacity, or changes to the run-of-river operation. Operation of the project is subject to the terms and conditions set by the resources agencies. The exemptee must report to the Commission any future proposed changes to the project prior to implementing them.

The Director orders:

(A) The exemption for the West Dudley Project, FERC No. 7254, is amended as provided by this order, effective the first day of the month in which this order is issued.

(B) The description of the project stated in the Notice of Application for Exemption for Small Hydroelectric Facility, issued on June 10, 1983, is revised, in part, to read:

(4)(j) The project includes the following features:

Dam: The Quinebaug River Pond Dam (also called the Rhode Island Cardboard Company Dam or the West Dudley Dam) was completed in 1919. It consists of two sections 55 feet in length and 144 feet in length, at the junction of which is located an existing powerhouse.

The dam, including existing flashboards 4.0 feet in height, averages about 17.0 feet in height above the streambed, and develops a gross head of 13.0 feet, between the tailrace elevation of 368.4 feet and the 377.3 foot elevation of the dam and flashboards. At elevation 377.5 feet, the related impoundment has a gross storage capacity of 201 acre feet...;"

(C) The following exhibit G drawing, filed on May 11, 1997, conforms to the Commission's rules and regulations and is approved and made a part of this exemption.

| EXHIBIT | PROJECT NUMBER | FERC DRAWING NUMBER |
|---------|----------------|--------------------------|
| G-1 | 7254-1 | POWERHOUSE & DAM SECTION |

(D) Within 90 days of the date of issuance of this order, the exemptee shall file three original sets of aperture cards of the approved drawing. All aperture cards should be reproduced on silver or gelatin 35 mm microfilm. All microfilm should be mounted on a type D (3 1/4" x 7 3/8") aperture card.

Prior to microfilming, the FERC Drawing Number (7254-1) shall be shown in the margin below the title block of the approved drawing. After mounting, the FERC Drawing Number should be typed in the upper right corner of each aperture card. Additionally, the Project Number, FERC Exhibit (i.e., G-1), Drawing Title, and date of this order should be typed in the upper left corner of each aperture card (see Figure 2).

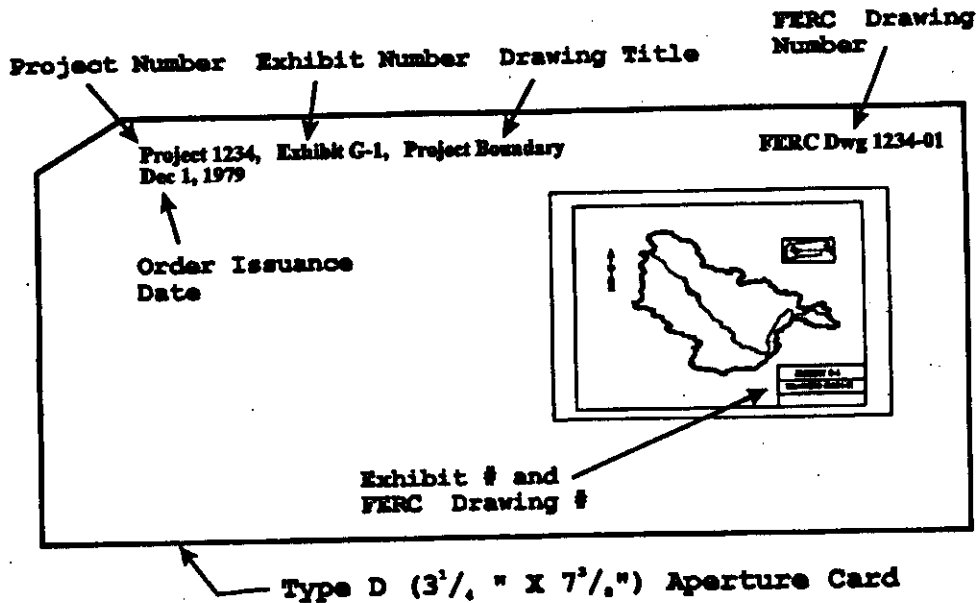


Figure 2. Sample Aperture Card Format

Two original sets of aperture cards should be filed with the Secretary of the Commission. The remaining set of aperture cards should be filed with the Commission's New York Regional Office.

(E) Within 90 days of the date of issuance of this order, the exemptee shall file for approval an original and 8 copies of

as-built exhibit B drawings showing the project boundary and physical structures of the project.

(F) The exemptee shall report to the Commission any future proposed changes to the project prior to implementing them.

(G) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.



Carol L. Sampson
Director
Office of Hydropower Licensing