

11061995 Talcville Order Ammending Exemption

UNITED STATES OF AMERICA 73 FERC ¶ 62,082  
FEDERAL ENERGY REGULATORY COMMISSION

Niagara Mohawk Power Corporation (NMPC)

Project No. 4402-008  
New York

ORDER AMENDING EXEMPTION  
(Issued November 6, 1995)

On June 6, 1983, the Commission issued an exemption for the Talcville Project, FERC No. 4402, to HDI Associates II (HDI II), with an authorized installed capacity of 1,000 kilowatts (kW).<sup>1</sup> On August 7, 1995, HDI II informed the Commission that it has transferred the project's exemption and property rights to NMPC on July 6, 1995. In its filing, HDI II included information about the as-built project.

Filing

In the filing, HDI II indicated:

- ú Instead of a 750-kW unit authorized by the exemption, it installed a unit rated at 824 kW, but capable of generating at 896 kW under optimal generating conditions. The hydraulic capacity of this unit ranges from 670 cfs to 700 cfs.
- ú Instead of refurbishing an existing 250-kW unit in the powerhouse as authorized by the exemption, it installed a minimum flow unit rated at 100 kW in the project's intake works, discharging into the bypass. The hydraulic capacity of this unit is 85 cfs.
- ú The total hydraulic capacity of the as-built units of 785 cfs does not exceed the hydraulic capacity of 790 cfs of the authorized units.
- ú The U.S. Fish and Wildlife Service, by letter dated July 11, 1986, concurred with the New York Department of Environmental Conservation in having no objection to the installation of the minimum flow unit.

Review

We reviewed the exemptee's filing, and found the as-built generating units did not alter the operation or the hydraulic capacity of the project from what was previously approved. This

<sup>1</sup> 23 FERC ¶62,356 (1983). This Exemption Order was amended on June 3, 1987.

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order will revise the project's description to reflect the as-built conditions. 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 Talcvillle Project, FERC No. 4402, is amended as provided in this order, effective the first day of the month in which this order is issued.

(B) The project description in the public notice attached to the Order Granting Exemption from Licensing (5 MW or Less), issued June 16, 1983, is revised to read as follows:

Project Description - The project consists of: (1) the Talcvillle Dam, an integrated concrete gravity structure, 14 feet long and 13 feet high, having an 80-foot-long spillway section; (2) 2-foot-high flashboards; (3) a reservoir having a surface area of 36 acres and a maximum surface elevation of 633 feet m.s.l.; (4) a 70-foot-long, 16-foot-wide, 13-foot-high flume; (5) a powerhouse containing one generating unit with a rated capacity of 824 kW, but capable of generating 896 kW under optimal conditions, having a hydraulic capacity in the range of 670 to 700 cfs; (6) a 100-kW minimum flow unit installed in the intake works, having a hydraulic capacity of 85 cfs; (7) a 1.5-MW, 23,000-volt substation; and (8) appurtenant facilities.

(C) Within 90 days from the date of this order, the exemptee shall file revised exhibit G drawings showing the as-built structures and equipment of the project. The drawings must include plan, elevation, and section views of the power plant, dam, and any other principal structure of the project.

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

(E) 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. 1385.713.

J. Mark Robinson  
Director, Division of Project  
Compliance and Administration

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