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Via Electronic Filing

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Turners Falls Hydroelectric Project (FERC No. 1889), FirstLight MA Hydro LLC, Northfield Mountain Pumped Storage Project (FERC No. 2485), Northfield Mountain LLC, Status Update and Continued Request to Defer Issuance of Notice of Acceptance / Ready for Environmental Analysis

Dear Secretary Bose:

As last reported by letter dated November 12, 2021, over the course of the past several months, the licensees for the above-referenced projects (collectively, FirstLight) have been engaged with federal and state resource agencies, local communities, environmental organizations, Native American tribes, and other stakeholders in renewed discussions on a broad range of issues pertaining to fish passage, stream flows, recreation, and cultural resources related to relicensing of the projects. The parties seek to negotiate a comprehensive settlement agreement that resolves all outstanding issues for the relicensing. Previously, on August 3, 2021, the Massachusetts Department of Environmental Protection noted these efforts and requested a delay in FERC's issuance of its Notice of Acceptance and Ready for Environmental Analysis (REA Notice) until November 12, 2021.

In FirstLight's November 12 letter, FirstLight, with the support of key stakeholders¹, requested that the Commission defer issuance of the REA Notice until after January 31, 2022, based on the substantial progress in negotiations that had occurred between August and November. FirstLight outlined the following proposed schedule:

November 2021 – fish and flow group and recreation/cultural group continue separate discussions.

¹ Letters supporting FirstLight's November 12 letter seeking a delay in issuing the REA Notice included the following: US Department of the Interior (11/15), National Oceanic and Atmospheric Administration (11/15), American Whitewater and Appalachian Mountain Club (11/15), Massachusetts Division of Fisheries and Wildlife (11/22), Massachusetts Department of Environmental Protection (11/22) and Massachusetts Department of Conservation and Recreation (11/23)

December 2021/January 2022 – parties schedule meeting or meetings of combined groups (fish/flows and recreation/cultural) to discuss overlapping issues. Parties provide status update to the Commission no later than December 31, 2021.

January 2022 – parties work toward achieving a conceptual agreement that can be filed with the Commission on or about January 31, 2022.

June 2022 – parties complete negotiation of a fully executed settlement agreement and file the agreement with the Commission.

Key stakeholders, including state and federal resource agencies, affirmatively supported this timeline and no stakeholder objected.

FirstLight and the other settlement parties continue to engage and remain on track to achieve this schedule. Since November 12 the parties have held the following meetings:

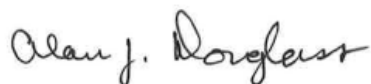
- Recreation Facilities – November 19 and December 17
- Flow and Fish Passage – December 2 (full group) and December 13 (Fish Passage Engineering Group)
- Whitewater Boating – December 14 and December 20

The parties also have discussed overlapping issues and developed a good understanding of those issues with the goal of avoiding resource conflicts. The parties have agreed on an aggressive meeting schedule for January 2022 in order to attempt to reach an agreement in principle on proposed license measures for the new license as well as off-license agreements where appropriate.

Therefore, FirstLight requests that the Commission continue to defer issuance of the REA Notice until after January 31, 2022, to allow the parties to focus on the agreement in principle. If the parties are able to reach an agreement in principle by that time, they will then request that the Commission further defer issuance of the REA Notice to allow for negotiation of a fully developed, binding settlement agreement that the parties would submit to the Commission as an offer of settlement pursuant to 18 C.F.R. § 385.602.

Thank you for your consideration.

Respectfully,



Alan Douglass
Regulatory Compliance Manager