

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426  
July 25, 2022

OFFICE OF ENERGY PROJECTS

Project No. 2485-071  
Northfield Mountain LLC

Project No. 1889-085  
FirstLight MA Hydro LLC

VIA FERC SERVICE

Mr. Nick Hollister  
Senior Operations Manager  
Northfield Mountain LLC and FirstLight MA Hydro LLC  
99 Millers Falls Rd.  
Northfield, MA 01360

**Reference: Request for Status Update on Settlement Agreement**

Dear Mr. Hollister:

Northfield Mountain LLC and FirstLight MA Hydro LLC (collectively, the Licensees) filed their respective relicense applications for the Northfield Mountain Pumped Storage Project No. 2485 and Turners Falls Hydroelectric Project No. 1889 on April 29, 2016, and amended the applications on December 4, 2020. On December 16, 2020, Commission staff issued procedural schedules that included a target date of May 2021, for the notice that the amended license applications are ready for environmental analysis (REA notice).

On August 3, 2021, the Massachusetts Department of Environmental Protection requested that the Commission delay the REA notice until November 12, 2021, to provide time for the Licensees, resource agencies, and stakeholders to discuss a potential settlement agreement. On August 5, 2021, the Massachusetts Division of Fish and Wildlife (DFW) and the Licensees filed in support of delaying the REA notice. The Licensees stated that they were engaging resource agencies and other stakeholders in settlement discussions involving fish passage, streamflow, recreation, and cultural resources. On November 12, 2021, the Licensees filed a status update indicating that substantial progress had been made during the settlement discussions. The Licensees stated their intent to file a conceptual agreement by January 31, 2022, and an executed settlement agreement in June 2022. The Licensees requested that the Commission

continue to delay the REA notice.<sup>1</sup> The Licensees filed status updates on January 4 and January 31, 2022, indicating that conceptual agreements had been reached on several issues. The Licensees filed agreements in principle on whitewater boating releases and recreation improvements on February 28, 2022; and on flow releases, water level management, and fish passage on March 18, 2022. In the March 18 letter, the Licensees stated that they are targeting the summer of 2022, for filing a comprehensive, binding settlement agreement to fully resolve all relicensing issues.

The amended relicense applications have been pending for over nineteen months and the Licensees have requested multiple delays to the REA notice within the last year. The Licensees have not filed a settlement agreement or an update on the status of the agreement since the March 18 letter, and the last update was not clear as to when in the summer of 2022 the settlement agreement would be filed. Within 15 days from the date of this letter, please provide an update on the Licensees' progress in reaching a settlement agreement and a schedule for filing the settlement agreement.

The Commission strongly encourages electronic filing. Please file the requested information using the Commission's eFiling system at <https://ferconline.ferc.gov/eFiling.aspx>. For assistance, please contact FERC Online Support at [FERCOnlinesupport@ferc.gov](mailto:FERCOnlinesupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. In lieu of electronic filing, the Licensees may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, D.C. 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the applicable docket numbers: P-2485-071 and P-1889-085.

If the Licensees have any questions concerning this letter, please contact Steve Kartalia at (202) 502-6131 or [stephen.kartalia@ferc.gov](mailto:stephen.kartalia@ferc.gov).

Sincerely,

Vince Yearick  
Director  
Division of Hydropower Licensing

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<sup>1</sup> Several stakeholders filed in support of the continued delay of the REA notice, including the U.S. Department of the Interior, the National Marine Fisheries Service, American Whitewater and the Appalachian Mountain Club, Massachusetts DFW, and the Massachusetts Department of Conservation and Recreation.