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Alan Douglass
Regulatory Compliance Manager

August 9, 2022

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

Dear Secretary Bose:

On July 25, 2022, the Federal Energy Regulatory Commission (“FERC”) sent FirstLight a letter requesting the following “*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.*”

FirstLight is continuing to move forward with both the form and substance of a Comprehensive Settlement Agreement (“CSA”) for the Turners Falls Hydroelectric Project and Northfield Mountain Pumped Storage Project. As elaborated below, we have made substantial progress toward realizing this goal since our last progress report. We are continuing to work on a finite list of remaining issues with the goal of filing a CSA with FERC by December 31, 2022.

Since FirstLight’s last status update, filed on March 17, 2022, we have continued to consistently engage with federal and state resource agencies, local communities, environmental organizations, Native American Tribes, and other stakeholders (“the Parties”) on reaching a CSA. Below is a status update on activities:

- Agreement-in-Principle (“AIP”) documents were filed with FERC relative to whitewater flows, recreation, minimum fish flows and project operations, and the timing and types of fish passage facilities.
- A drafting group comprised of counsel from FirstLight and several other settlement participants has made substantial progress on the general terms and conditions of a CSA. FirstLight has also begun the process on an initial draft of proposed license articles and an explanatory statement for the CSA.
- Several meetings were held to develop a single Recreation Management Plan (“RMP”) for the two projects. A final RMP was completed and sent to the Parties on July 25, 2022. The RMP will be part of the CSA.
- Several meetings were held with the fish and wildlife agencies to develop an agreeable protocol to dampen the magnitude of Great River Hydro’s (“GRH”) Vernon Hydroelectric Project (FERC No. 1904) flexible operations discharges below FirstLight’s Turners Falls Project from July 1 through November 30. An agreement has been reached on this protocol.

- As reflected in the fish passage and flows AIP, Parties have reached agreement on the specific fish passage measures to be constructed and the timing of that construction. FirstLight and the agency settlement parties have exchanged proposals and met several times on fish passage performance metrics and adaptive fish passage management measures. FirstLight and the fish and wildlife agencies have made substantial progress and are hoping to narrow the remaining gaps in the coming weeks.
- FirstLight and interested Tribes have had productive discussions around Tribal interests over the last several months. FirstLight has a proposal pending and expects to receive a response within the next week. We will forward an AIP to FERC upon successful completion of these discussions.
- Discussions on shoreline erosion have been delayed due to the time needed to a) reach resolution of how FirstLight operations would dampen GRH's flexible operations at the Vernon Hydroelectric Project, and b) simulating these operations, along with the operations already agreed to in the AIP within a series of models. With this now finalized, FirstLight has run the three models (HEC-ResSim, HEC-RAS and finally the Bank Stability and Toe Erosion Model (BSTEM)) needed to determine causal influence relative to erosion. FirstLight is currently developing a letter report of the findings which it will circulate to the interested Parties in the next few weeks along with FirstLight's proposal.
- FirstLight has been negotiating off-license measures with certain Parties on a finite list of issues as part of a CSA.

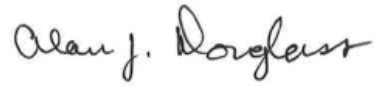
The Parties have advanced comprehensive settlement substantially since our last progress report. The outstanding items include:

- Attorney drafting group to complete language on general terms and conditions;
- FirstLight to finalize language for draft proposed license articles and explanatory statement and circulate it to the Parties for review and comment;
- Complete negotiation of off-license measures;
- Fishery agencies and FirstLight close the remaining gaps on performance metrics and adaptive management;
- FirstLight to consult with local Tribes to finalize an AIP;
- FirstLight to distribute an erosion causation letter report and initial proposal in August and set a schedule for negotiations with the goal of an erosion AIP by mid-October.

FirstLight continues to believe that a comprehensive settlement is the most expeditious way to get to a final license with terms acceptable to the majority of licensing stakeholders. Based on the progress we have made and the outstanding items, FirstLight believes a CSA is achievable and can be filed with FERC by December 31, 2022. See 18 CFR Section 5.29(g). FirstLight commits to keep FERC informed of the Parties' progress and will file a progress report with FERC on or before October 31, 2022. We thank FERC for its patience while FirstLight and the Parties work through the details of this highly complicated and detailed settlement.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink that reads "Alan J. Douglass". The signature is written in a cursive style with a large, prominent "D" at the end.

Alan Douglass
Regulatory Compliance Manager