

KEI (USA) POWER MANAGEMENT INC.

Friday, February 17, 2012

Ms. Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit St., Suite 10
Concord, NH 03301-2429



RE: KEI (Maine) Power Management (II) LLC request for certification of the Browns Mill Hydroelectric Project (FERC No. 5613) / (QF89-230-000) - as a Class IV renewable energy source.

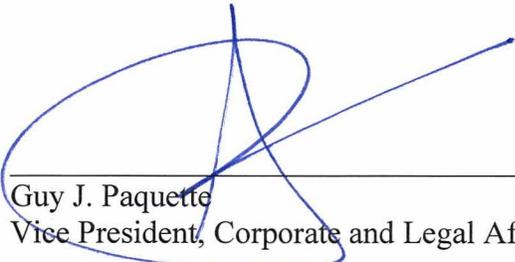
Dear Ms. Howland:

KEI (Maine) Power Management (II) LLC ("KEI") hereby requests that the New Hampshire Public Utilities Commission certify KEI's Browns Mill Hydroelectric Project (FERC No. 5613) as an eligible Class IV renewable energy source pursuant to New Hampshire R.S.A 362-F:4(IV) and F:13 and Admin. Code Puc 2502.10 Electric Renewable Portfolio Standard.

In Support of the request for Class IV eligibility for the Browns Mill Hydroelectric Project, KEI submits an original and seven copies of the completed application, required documentation and supplemental supporting information.

Thank you for your consideration of KEI's request. If you have any questions or need additional information, please contact

Stéphane Cohen
KEI (USA) Power Management Inc.
c/o Kruger Energy Inc.
3285 chemin Bedford
Montreal, Québec
H3S 1G5
E-mail: stephane.cohen@kruger.com
Tel: 514-343-3100 ext. 2109



Guy J. Paquette
Vice President, Corporate and Legal Affairs

DISTRIBUTED

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION
SAMPLE APPLICATION FORM
FOR RENEWABLE ENERGY SOURCE ELIGIBILITY
Pursuant To New Hampshire Admin. Code Puc 2500 Rules**

- 1. ELIGIBILITY CLASS APPLIED FOR:** I II III IV
- 2. Applicant's legal name:** KEI (Maine) Power Management (II) LLC
c/o KEI (USA) Power Management Inc.
- 3. Address:** 3285 chemin Bedford, Montreal, Quebec, Canada, H3S 1G5
- 4. Telephone number:** (514) 343-3100 ext. 2109
- 5. Facsimile number:** (514) 343-3124
- 6. Email address:** stephane.cohen@kruger.com
- 7. Facility name:** Browns Mill Hydroelectric Project (FERC No. 5613) / (QF 89-230-000)
- 8. Facility location:** 109 Vaughn Street Dover-Foxcroft, ME, 04426
- 9. Latitude:** 45.1834 **Longitude:** -69.218462
- 10. The name and telephone number of the facility's operator, if different from the owner:**
Lewis C. Loon
KEI (USA) Power Management Inc.
Manager, Operations and Maintenance – Maine
37 Alfred Plourde Parkway, Suite 2, Lewiston, ME 04240
(207) 786-8834
- 11. The ISO-New England asset identification number, if applicable:** Asset ID. 2281
- 12. The GIS facility code, if applicable:** MSS2281

13. A description of the facility, including fuel type, gross nameplate generation capacity the initial commercial operation date, and the date it began operation, if different.

The Browns Mill Hydroelectric Project ("the Project") is located on the Piscataquis River, in the city of Dover Foxcroft, Maine. The project was built in 1867 and consists of (1) a 22' high, 264.5' long masonry and concrete dam; (2) a 4 acre reservoir with negligible storage capacity at elevation 344' mean sea level; (3) a 24' wide, 84' long covered canal; (4) a 172' long, 24' to 40' wide open canal; (5) 2 steel penstocks approximately 50' long; (6) powerhouse containing two (28 pole and 44 pole) Synchronous generators and two vertical Francis turbines; (7) a fish ladder and other appurtenant facilities.

The Project is a power generation facility that is operated in a run-of-river mode. The facility began commercial operation on December 1, 1983 and has a nameplate capacity of 0.67 MW. Please see attachment 7 for project photographs showing appurtenant structures.

14. If Class I certification is sought for a generation facility that uses biomass, the applicant shall submit:

(f) N/A: Class I certification is NOT being sought for a generation facility that uses biomass.

15. If Class I certification is sought for the incremental new production of electricity by a generation facility that uses biomass, methane or hydroelectric technologies to produce energy, the applicant shall:

(c) N/A: Class I certification is NOT being sought for the incremental new production of electricity by a generation facility that uses biomass, methane or hydroelectric technologies.

16. If Class I certification is sought for repowered Class III or Class IV sources, the applicant shall:

(c) N/A: Class I certification is NOT being sought for repowered Class III or Class IV sources.

17. If Class I certification is sought for formerly nonrenewable energy electric generation facilities, the applicant shall:

(c) N/A: Class I certification is NOT being sought for formerly nonrenewable energy electric generation facilities

18. If Class IV certification is sought for an existing small hydroelectric facility, the applicant shall submit proof that:

(a) it has installed upstream and downstream diadromous fish passages that have been required and approved under the terms of its license or exemption from the Federal Energy Regulatory Commission, and

(b) when required, has documented applicable state water quality certification pursuant to section 401 of the Clean Water Act for hydroelectric projects.

An order granting exemption from licensing of a small hydroelectric project was issued by FERC on August 3, 1982. This order exempts the project from all the requirements of part I of the Federal Power Act subject to the standard articles of the commission's regulations. Though, a special article has been added stipulating that the Project needs to be compliant with an agreement for the coordinated operation of both the Project and the Moosehead hydro facility due to their proximity. Details can be found in the FERC license exemption in attachment 1.

The Project is also exempt of any hydropower permits and Water Quality Certification. Please see documents in attachment 3 asserting the Projects exemption from the Water Quality Certification.

However, the exemption requires compliance with the terms and conditions specified by the Federal and State Fish and Wildlife agencies and the Atlantic Sea Run Salmon Commission (ARSC). For this reason, an upstream and a downstream fish passage were constructed and are still in operation in accordance with the ARSC. Furthermore, upon the ARSC recommendations, a fish bypass weir, a concrete barrier dam at the toe of the main spillway, a new angled trashrack structure and a downstream steel fish bypass pipe were constructed in 1996. See related documents in attachment 1 and 2.

19. If the source is located in a control area adjacent to the New England control area, the applicant shall submit proof that the energy is delivered within the New England control area and such delivery is verified using the documentation required in PUC 2504.01(a) (2) a. to e.

Not applicable since the project is in the New England control area.

20. All other necessary regulatory approvals, including any reviews, approvals or permits required by the NHDES or the environmental protection agency in the facility's state.

In addition to the ARSC requirements, the United States Fish and Wildlife Service declared in a letter dated July 2nd, 1982 that the Project's license exemption contains special requirements concerning minimum flow releases as stated in a FERC Operations Report dated July 9th, 2001. See relative document in attachment 2.

21. Proof that the applicant either has an approved interconnection study on file with the commission is a party to a currently effective interconnection agreement, or is otherwise not required to undertake an interconnection study.

The Project currently has an interconnection agreement with Central Maine Power Company (agreement No. IA-CMP-17). This agreement was signed on December 31st, 2008 and made effective as of January 1, 2009 and will remain effective for a period of 20 years since the date of emission. Due to confidentiality reasons we have not attached the interconnection agreement to this application.

22. A description of how the generation facility is connected to the regional power pool of the local electric distribution utility.

Electric power is delivered from the interconnection of the Project's 12 kV cable to CMP's 12 kV distribution circuit tap 815D2 located on the CMP's distribution circuit Tap 815D2 extending to CMP's 12 kV distribution circuit 815D2.

23. A statement as to whether the facility has been certified under another non- federal jurisdiction's renewable portfolio standard and proof thereof.

The Project currently qualifies as a Class II renewable energy source in the state of Connecticut and as a Class II renewable energy source in the state of Maine. Please see attachment 4 for the GIS certificate information sheets.

24. A statement as to whether the facility's output has been verified by ISO-New England.

The Browns Mill project's output is a settlement only generator (asset number 2281) and its output is verified by ISO-New England.

25. A description of how the facility's output is reported to the GIS if not verified by ISO-New England.

Not applicable since the output is verified by ISO-New England.

26. An affidavit by the owner attesting to the accuracy of the contents of the application.

Please see attachment 5 for affidavit of Guy J. Paquette, Vice President, Corporate and Legal Affairs of KEI (Maine) Power Management (II) LLC, attesting to the accuracy of the contents of this application.

27. Such other information as the applicant wishes to provide to assist in classification of the generating facility.

By letter dated December 18, 2009 to the FERC, KEI has agreed to assume all the obligations from Ridgewood Maine Hydro Partners, L.P. under the Commission's orders regarding the terms and conditions of the exemptions for the Project pursuant to 18 C. F. R. §4.106 (i). Please see attachment 6.

29. Preparer's information:

Name: Stéphane Cohen

Title: Junior Mechanical Engineer, Hydro Sector of Kruger Energy Inc.

Address: 3285 chemin Bedford, Montreal, Quebec, Canada, H3S 1G5

30. Preparer's signature: Stéphane Cohen

ATTACHMENTS

ATTACHMENT 1
ORDER GRANTING EXEMPTION FROM LICENSING

ORIGINAL

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20 FEB 1982 185

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Charles E. and Anne W. MacArthur) Project No. 5613-001

ORDER GRANTING EXEMPTION FROM LICENSING OF A
SMALL HYDROELECTRIC PROJECT OF 5 MEGAWATTS OR LESS

(Issued August 3, 1982)

The Applicant 1/ filed an application for exemption from all or part of Part I of the Federal Power Act pursuant to 18 C.F.R. Part 4 Subpart K (1980) implementing in part Section 408 of the Energy Security Act (Act) of 1980 for a project as described in the attached public notice. 2/ 3/

Notice of the application was published in accordance with Section 408 of the Act and the Commission's regulations and comments were requested from interested Federal and State agencies including the U.S. Fish and Wildlife Service and the State Fish and Wildlife Agency. All comments, protests and petitions to intervene that were filed have been considered. No agency has any objection relevant to issuance of this exemption.

Standard Article 2, included in this exemption, requires compliance with any terms and conditions that Federal or State fish and wildlife agencies have determined appropriate to prevent loss of, or damage to, fish and wildlife resources. The terms and conditions referred to in Article 2 are contained in any letters of comment by these agencies which have been forwarded to the Applicant in conjunction with this exemption.

1/ Moosehead Manufacturing Company, Project No. 5613-001, filed on May 18, 1982.

2/ Pub. Law 96-294, 94 Stat. 611. Section 408 of the ESA amends inter alia, Sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. §§2705 and 2708).

3/ Authority to act on this matter is delegated to the Deputy Director, Office of Electric Power Regulation, under §375.309 of the Commission's regulations, 45 Fed. Reg. 21216 (1980), as amended by Order No. 112 in Docket No. RM81-5, issued November 21, 1980, FERC Statutes and Regulations ¶30,211 (45 Fed. Reg. 79024).

8208160462

19 SEP 1982 10:30 AM

At the request of the Applicants for this project and the Moosehead Project No. 5912-000, which is the subject of an exemption granted on June 2, 1982, Article 6 is included in this exemption. Article 6 provide that the two projects be operated in accordance with a written comprehensive operating statement agreed to by both Applicants. The agreement was believed to be necessary because of the close proximity of the two projects and the potential for interference and financial losses if those projects are not operated in a coordinated manner. It is concluded that safe, efficient and coordinated operation in accordance with the agreement is appropriate and in the public interest.

Should the Applicant contest any terms or conditions that were proposed by Federal or State agencies in their letters of comment as being outside the scope of Article 2, the Commission shall determine whether the disputed terms or conditions are outside the scope of Article 2.

It is ordered that:

(A) Browns Mill Project No. 5613-001 as described and designated in Charles E. and Anne W. MacArthur's application filed on May 18, 1982, is exempted from all of the requirements of Part I of the Federal Power Act, including licensing, subject to the standard articles in §4.106_A of the Commission's regulations, ~~attached hereto as Form E-2~~ 18 C.F.R. §4.106, 45 Fed. Reg. 76115 (November 18, 1980), and the following Special Article. 3/5

Article 6. Project No. 5613 shall be operated in accordance with the agreement for the coordinated operation of the Moosehead Project No. 5912 and the Browns Mill Project No. 5613-001 dated May 7, 1982. Such agreement may be modified upon mutual consent of both parties. Disputes under the agreement shall be resolved in the state court of competent jurisdiction.

(B) This order is final unless a petition appealing it to the Commission is filed within 30 days from the date of its issuance, as provided in Section 1.7(d) of the Commission's regulations, 18 C.F.R. 1.7(d)(1981), as amended, 44 Fed. Reg. 46449 (1981). The filing of a petition appealing this order to the Commission or an application for rehearing as provided in Section 313(a) of the Act does not operate as a stay of the effective date of this order, except as specifically ordered by the Commission.

Robert E. Cadman

~~Deputy~~ Deputy Director, Office of Electric Power Regulation

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Charles E. and Anne W. MacArthur)

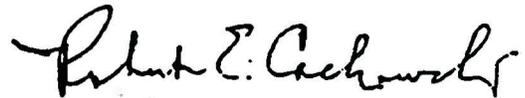
Project No. 5613-001

ERRATA NOTICE

(August 9, 1982)

Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less (Issued August 3, 1982) is revised as follows:

Footnote 1, line 1, change "Moosehead Manufacturing Company" to "Charles E. and Anne W. MacArthur".



Robert E. Cackowski
Deputy Director, Office of
Electric Power Regulation

CC-2-31

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ATTACHMENT 2
FERC OPERATIONS REPORT

OPERATION REPORT
FEDERAL ENERGY REGULATORY COMMISSION
New York Regional Office

For the period June 29, 1999 to May 16, 2001

Exemptee Ridgewood Maine Hydro Partners, L.P. Project No. 5613-ME

Project Name Browns Mills NATDAM # - ME00156

Location Piscataquis River Piscataquis Maine
(Waterway or reservation) (County) (State)

Exemption issued August 3, 1982 Expires - Type Site Specific

Date of last amendment None

Inspected by Harold Kamara Date May 16, 2001

Parts of project inspected Dam, Power Canal and Powerhouse

Weather Sunny with temperatures in the 80°F range.

Accompanied by Mr. Gerald Stevens, Regulatory Specialist, and
Mr. Gary MacPheters, Supervisor of Operations,
Consolidated Hydro Inc., Maine.

Summary

The project structures appeared to be in fair condition and adequately maintained. However, this inspection noted that the downstream right spillway side has severe concrete erosion and a minor leakage was noted along the downstream horizontal joint of the right non-overflow section adjacent to the upstream fish passage facility. By letter dated June 15, 2001 the Exemptee was directed to provide a plan and schedule for addressing the noted deficiencies. Except for the intake structure, all other structures exhibited considerable concrete deterioration, spalling and cracking. The Exemptee appeared to comply with the exemption requirements during the reporting period.

During the inspection, the bigger unit was operating while the smaller unit was idle due to low river inflows. The project is assigned a low hazard potential classification and exempted from the requirements of Part 12, Subparts C and D of the Commission's regulations.

Submitted July 9, 2001

Harold Kamara, Civil Engineer

11

Pertinent Datasheet for

Browns Mill Project No. 05613

New York Regional Office

GENERAL DATA

Dam Number: 05613-01-01 Drainage Area (sq/mi): 336
NATDAM No: ME00156 Type of Dam: MS CN CB
Dam Name: Browns Mill D/S Hazard: Low
Licensee: Dam Height (ft): 22.0
Exemptee: Ridgewood Maine Hydro Partners Limited Partnership Dam Length(ft): 264.5
Applicant/Other: Spillway Width (ft): 160.0
River: Piscataquis River Spillway Capacity: 7,600
River Mile: Crest Elevation (msl): 326.3
State, County: ME Piscataquis Flashboards (Y/N): Y
USGS Quad: USGS Quad: Flashboard Elev.(msl): 328.0
Year Dam Built: 1856
Latitude (degrees): 45.1800
Longitude (degrees): 69.2300
Last Major Modification:

HYDROLOGIC DATA

PMF (cfs):
Flood of Record (cfs): 37,300
Date Flood of Record: 04/01/1987
Average Flow (cfs): 603
Minimum Flow Required (Y/N): Y
Minimum flow (cfs): 40
Minimum flow release of 40 cfs, through fish ladder, during fish season (May to November).

SAFETY DATA

CSIR Requirement (Y/N): N
EAP Status: Exempted
Latest EAP / EAP Mod:
Continuously Manned (Y/N): N
Public Safety Plan Req.(Y/N): Y
Public Safety Plan Received: 04/05/1993
Boat Restraining Barrier Req. (Y/N): Y
Mo. Day
Date In : 05 31
Date Out: 09 30

RESERVOIR DATA

Development Name: Browns Mill
Lake Name:
Normal Surface Area (acres): 4
Pool Elevation Max (msl):
Normal (msl): 328.00
Minimum (msl):
Normal Storage (acre-ft): 10
Maximum Storage (acre-ft): 78

PROJECT WORKS

Installed Capacity (kW): 594
Number of Powerhouses: 1 (A)
Number of Generating Units: 2 (B)
Number of Gates: 0 (C)
Number of Penstocks: 3 (D)
Number of Canals: 1 (E)
Number of Tunnels: 0 (F)

Remarks:

Footnotes (Project Works)

- (A) Constructed 1949 (rehabilitated and reactivated 1983), non-integral, hydraulic capacity 600 cfs, tailwater elev. 304.0, gross head 24'.
(B) Generators: 1 x 450 kW and 1 x 144 kW (G.E.). Turbines: 1 x 695 HP (Allis-Chalmers) and 1 x 225 HP (J. Leffel).
(C) N/A
(D) 3 underground steel penstocks: one 50' L x 5' Ø and two 50' L x 7' Ø.
(E) Unlined flume canal, 256' L x 42' W x 22' D.

(F) N/A

A. DOWNSTREAM HAZARD POTENTIAL

The project is classified as having low hazard potential based on the dam's low height and small impoundment. A dambreak analysis is not required since a dam failure would not cause any impact to life and property downstream. An observation of upstream and downstream conditions indicated no changes in circumstance that could affect the project hazard classification.

B. PROJECT SAFETY AND MAINTENANCE

1. Dams, Dikes and Appurtenant Structures

During the inspection, the headpond was at the top of the flashboards permitting a close visual inspection of the downstream face of the dam. The downstream face of the concrete gravity buttressed spillway (**Photo No.1**) appeared to be fair condition with severe erosion noted on the right spillway side (**Photo No.2**). The Exemptee's representatives proposed to repair eroded area during this summer shutdown of the project. However, by letter dated June 15, 2001 the Exemptee was requested to submit a plan and schedule for addressing the deficiency.

The canal (**Photo No.2**), located at the left side of the dam, includes the headgate structure, intake structure and trashracks, a combination downstream fish passage facility and sluiceway and a non-overflow spillway located on the right canal wall. The headgate structure and right canal wall (**Photo No.3**) appeared to be in fair to poor condition with concrete deterioration, spalling, cracking and leakage. However, the intake structure and trashracks, the wooden deck at the top and the adjacent combination fish bypass and sluiceway appeared to be in good condition (**Photo No.4**). Also, the headgates and trashracks appeared to be in good condition reflecting the replacement of the headgates during 1999 (**Photo No.5**). The exposed sections of the concrete encased penstock leading into the powerhouse appeared to be in good condition with superficial erosion (**Photo No.6**).

The right side of the spillway includes an abandoned drain gate (**Photo No.7**), an upstream fish passage facility (**Photo No.8**) and sluiceway (**Photo No.9**). These structures appeared to be in fair condition with concrete deterioration, spalling and cracking. In addition, minor leakage was noted along the downstream horizontal joint of the right non-overflow section adjacent to the upstream fish passage facility. By letter dated June 15, 2001 the Exemptee was requested to submit a plan and schedule for addressing the deficiency. Also, a crack reported in the previous inspection report was evident in the concrete fish ladder. The Exemptee's representatives continue to monitor the area and they reported no significant change in the crack during this reporting period.

For the deteriorated concrete structures, the Exemptee, by letter dated December 7, 1995 submitted an engineering assessment and evaluation report in response to the NYRO's letter dated July 28, 1995 requesting repairs of the noted deficiencies during the operation inspection of July 13, 1995. The report indicated that the concrete deterioration was solely cosmetic in nature and exhibited no significant impact on the structure's stability and no repairs were warranted at the time. However, the Exemptee will continue to observe the facility conditions as part of their normal daily inspections.

Field observations appear to indicate that the deteriorated concrete condition does not pose a not dam safety threat warranting immediate remedial action at the present time.

2. Spillway Gates and Standby Power

There are no spillway gates at the project.

3. Power Plant

The powerhouse structure (**Photo No.10**) appeared to be in good condition and well maintained. However, the minor crack on the interior right wall and the deteriorated concrete and exposed re-bar on the tailrace side reported in the previous inspection reports were evident during the inspection. The Exemptee's representatives reported that these conditions have existed for many years and have not shown any significant change from the previous years.

The two generating units appeared to be in good operating condition and well maintained. There were no major unscheduled outages during this reporting period except for outages associated with low river flows. During the inspection, the bigger unit was operating about 470kW while the smaller unit was idle due to low river inflows.

4. Reservoir

The reservoir was clear of debris. The visible reservoir shorelines also appeared to be in good condition with no signs of bank erosion or movement.

5. Instrumentation and Monitoring

There is no dam safety monitoring instrumentation at the site and none is warranted at this time.

6. Exemptee's Inspection Program

Mr. Gary MacPheters, the Supervisor of Operations, inspects the project works including two other hydrosites owned by

the Exemptee on a daily basis. In addition, the three sites contain a paging system that informs CHI field personnel of any unusual operating conditions at the sites. The Exemptee performs annual inspection and maintenance during the project shutdown mostly in the summer season. The inspection program appeared adequate.

7. Emergency Action Plan

By letter dated February 24, 1982 the NYRO exempted the project from filing the requirements of Part 12, Subpart C, Emergency Action Plan of the Commission's Regulations.

8. Status of Part 12-D Report

The project is not subject to the requirements of Part 12, Subpart D of the Commission's Regulations.

9. Status of Previous Operation Inspection

The previous inspection revealed no significant change in condition of the deteriorated concrete structures at the project from the previous years. However, the Exemptee was requested to replace the headgates by calendar year 2000. This inspection noted that the gates had been replaced.

10. Records

The Licensee maintains all appropriate records and project drawings in the powerhouse and in CHI's Main Office in Sanford, Maine.

C. ENVIRONMENTAL REQUIREMENTS

On August 3, 1982 the Commission issued an Order Granting Exemption from Licensing to the Browns Mills Project. Standard Article 2 of the exemption requires compliance with the terms and conditions specified by Federal and State Fish and Wildlife agencies.

By letter dated July 2, 1982 the U.S. Fish and Wildlife Service (USF&W) required the Exemptee to release an instantaneous minimum flow of 40 cfs at the dam during the period May through November. In addition, operating procedures and provision of fishway flows must be maintained to insure passage of anadromous fish, and must have the continued approval of the Atlantic Sea Run Salmon Commission (ASRSC). Further, the Exemptee will provide supplementary fish-passage facilities, if needed and have the design meet with the approval of the appropriate State and Federal agencies.

In any event, the fishway shall be operable regardless of inflow, as the terms of the operating agreement specify that the

fishway is to receive ~~the~~ first water ~~at~~ at all times. The second priority to receive water is the Town of Dover-Foxcroft's sewer effluent and last is the turbines.

By letter dated July 16, 1982 the U.S. Environmental Protection Agency (USEPA) concurred with conditions recommended by the USF&W.

The Exemptee has operated and maintained the fish ladder in accordance with the ASRSC. The ASRSC inspects the fishway periodically and the Exemptee reported that the agency is satisfied with the flowage through the fishway. In addition, upon the recommendation of ASRSC and the USFWS, the Exemptee constructed a fish bypass weir and concrete barrier dam at the toe of the main spillway, a new angled trashrack structure and a downstream steel fish bypass pipe during 1996.

To comply with the requirements, the Exemptee installed a pond level transducer adjacent to the intake structure to monitor reservoir and canal water levels. The minimum flow is released through the wicket gates of the units that are regulated to shutdown automatically when the headpond level drops below the flashboards.

The Browns Mills Project has no gaging to verify full time compliance with the required minimum flow. However, field observations and review of records during the inspection verified compliance with the minimum flow requirement. Additionally, the Licensee's letter dated December 4, 2000 indicated that the subject project passed the required minimum flow or inflow to the project during 2000. Also, there have been no complaints related to this requirement registered with this office.

In addition, the Exemptee has maintained an upstream and downstream fish passage facilities located adjacent to the intake structure and at the right side of the spillway respectively. The facilities appeared to be in good to fair condition and both facilities were operational during the inspection.

D. PUBLIC SAFETY

On April 5, 1993 the Exemptee submitted a revised Public Safety Plan for the project showing the installed public safety devices. By letter dated April 12, 1993 the NYRO informed the Exemptee that the plan is adequate and satisfied the filing requirements of Section 12.4 of the Commission's regulations. An inspection of the project site confirmed the implementation of the plan including the installation of the upstream safety barrier and log boom. The existing public safety measures appear adequate.

E. PROJECT COMPLIANCE

1. Unauthorized Project Maintenance or Uses

There was no evidence of unauthorized maintenance or uses of the project facilities.

On November 14, 1996 the attorney of the project's new owner, Ridgewood Maine Hydro Partners, L.P. filed an ownership transfer letter. The letter indicated that effective December 23, 1996, Consolidated Hydro Maine, Inc. (CH Maine) had been merged into Ridgewood Maine Hydro Partners, L.P. (Ridgewood). As a result of such a merger, Ridgewood is now the Exemptee for the project. CH Maine has informed Ridgewood Maine Hydro Partners, L.P. of the terms and conditions of the Exemption, and Ridgewood has agreed to assume all obligations under the FERC Orders issued for the project.

2. Exemption Compliance

Based on a review of all the available information and field inspection, the Exemptee was in compliance with all exemption requirements during this reporting period.

F. SPECIFIC FINDINGS AND NECESSARY FOLLOW-UP ACTIONS

The project structures appeared to be in fair condition and adequately maintained. However, this inspection noted that the downstream right spillway side has severe concrete erosion and a minor leakage was noted along the downstream horizontal joint of the right non-overflow section adjacent to the upstream fish passage facility. By letter dated June 15, 2001 the Exemptee was directed to provide a plan and schedule for addressing the noted deficiencies. Except for the intake structure, all other structures exhibited considerable concrete deterioration, spalling and cracking. The Exemptee appeared to comply with the exemption requirements during the reporting period.

There are no other items that required follow-up actions.

ATTACHMENTS: Project Description Sheet
Photo Location Map
Set of 10 Photographs

cc: FERC-NYRO
Kamara, H./di
July 9, 2001

ATTACHMENT 3
WATER QUALITY CERTIFICATION EXEPMTION CORRESPONDENCES

CURTIS THAXTER STEVENS BRODER & MICOLEAU
ONE CANAL PLAZA • PORTLAND, MAINE 04112
ATTORNEYS AT LAW
(207) 775-2361

SIDNEY W. THAXTER (1914-1977)

KENNETH M. CURTIS
ROBERT E. STEVENS
SIDNEY ST. F. THAXTER
JAMES N. BRODER
CHARLES J. MICOLEAU
JOHN W. BERNOTAVICZ
MICHAEL B. PEISNER
SHARON M. LAWRENCE
LAWRENCE C. WALDEN
NANCY C. ZIEGLER
D. MICHAEL FRINK
JOHN D. GLEASON
STEPHEN E. CHAMPAGNE
KIMBALL L. KENWAY

OF COUNSEL
WALTER E. COREY, III

*ON LEAVE OF ABSENCE

AUGUSTA OFFICE
181 STATE STREET
P.O. BOX 5307
AUGUSTA, ME 04330
(207) 626-0388

August 13, 1987

Mr. Dana P. Murch
Hydropower Coordinator
Bureau of Land Quality Control
Department of Environmental Protection
State House Station 17
Augusta, Maine 04333

RE: Maine hydropower facilities owned or controlled by Consolidated Hydro, Inc. which require no orders from DEP acknowledging transfers of interest or ownership

Dear Dana:

In a letter of even date I have requested orders from the DEP approving transfers of hydropower permits and water quality certificates for certain projects in Maine owned or controlled by Consolidated Hydro, Inc. ("CHI") wholly owned subsidiaries. As we previously agreed by letter dated December 19, 1985, the following hydropower facilities require no orders from DEP if ownership changes.

1. Gardiner Hydropower facility located on the Cobbosscontee Stream (grandfathered - no permits required).
2. Brown's Mill in Dover-Foxcroft (grandfathered - no permits required).
3. Salmon Falls River facility in Somersworth, New Hampshire, the dam of which extends to Berwick, Maine (Water Quality Certificate only #08-7647-31040, September 21, 1981 without on-going obligations other

Mr. Dana P. Murch
August 13, 1987
Page 2

than general compliance with the laws of Maine.

Therefore, the purpose of this letter is for general information only, that the CHI subsidiary, Consolidated Hydro Maine, Inc. will own the above projects Nos. 1 and 2 in place of project specific subsidiaries of CHI and No. 3 above will be owned by Somersworth Hydro Company, Inc.

Sincerely yours,

Sharon Lawrence McHold

Sharon Lawrence McHold

SLM/ml

From: [Loon, Lewis](#)
To: [Cote, Gilles](#)
Cc: [Cohen, Stéphane](#)
Subject: FW: Browns Mill Hydro Project Dover Folcroft Maine
Date: February 15, 2012 8:11:52 AM

Gilles

I have forward an e-mail from Jim Glasgow from the MDEP to they question why our Browns Mill Hydro project is exempt from the 401(WQC)

Regards,

Lewis C. Loon
Operations and Maintenance Manager -Maine
KTI (USA) Power Management Inc.
37 Alfred Plourde Parkway, Suite 2
Lewiston, ME 04240
(207) 786-8834 (T)
(207) 786-8812 (F)
(207) 458-3384 (C)
Lewis.Loon@kruger.com

From: Glasgow, Jim S [<mailto:Jim.S.Glasgow@maine.gov>]
Sent: Monday, February 13, 2012 4:30 PM
To: Loon, Lewis
Subject: RE: Browns Mill Hydro Project Dover Foxcroft Maine

Lewis,

Browns Mill hydro dam (FERC docket # 5613) is exempt by FERC and being in existence prior to 1857 is exempt from water quality certification under section 401 of the Clean Water Act.

James S Glasgow
Regional License & Compliance Manager
Division of Land Resource Regulation
Southern Maine Regional Office
Maine Department of Environmental Protection
Portland, Maine 04103
(207) 822-6358 jim.s.glasgow@maine.gov

From: Loon, Lewis [<mailto:Lewis.Loon@kruger.com>]
Sent: Tuesday, February 07, 2012 2:39 PM
To: Glasgow, Jim S
Subject: Browns Mill Hydro Project Dover Foxcroft Maine

Jim,

We are looking to qualify our Maine hydro projects in the various New England RPS market, one of the items requested is proof of our WQC or proof it's no required. For our Browns Mill Project

FERC number 5613 we do not have proof from the MDEP that a WQC is not required. Would you be able to provide a letter or email stating our site is exempt for WQC standards?

Best Regards,

Lewis C. Loon
Operations and Maintenance Manager -Maine
KEI (USA) Power Management Inc.
37 Alfred Plourde Parkway, Suite 2
Lewiston, ME 04240
(207) 786-8834 (T)
(207) 786-8812 (F)
(207) 458-3384 (C)
Lewis.Loon@kruger.com

ATTACHMENT 4
CERTIFICATE INFORMATION FROM NEPOOL GIS

Logout

My Account

Help

Certificate InformationPlant - Unit Name: **UNDER5MW - BROWNS MILL HYDRO**Month and year of generation : **7/2011**Certificate Serial Numbers: Total Certificates: **Part 1 - Fuel Sources****100% - Hydroelectric/Hydropower**Short Description - **Hydroelectric/Hydropower**Description - **Hydroelectric/Hydropower**

Fuel Type Attributes -

- **Hydro-small (30 MW or less) - Automatically qualifies as Connecticut CEO-eligible**
- **Hydro-daily cycle**
- **Hydro - run-of-the-river hydropower facility that has a nameplate generating capacity of not more than five megawatts, does not cause an appreciable change in the river flow, and began operation prior to July 1, 2003**

Part 2 - Renewable Portfolio Standard ("RPS") Eligibility**Connecticut**Class I Renewable Energy Source: **No**Class II Renewable Energy Source: **Yes**State Certification Number: **CT00067-03**Date of Eligibility: **01/2004**Class III Portfolio Standard: **No**Eligible under Clean Energy Options ("CEO"): **Yes**R-O-R Hydro: Percentage Qualifying as Class I: **NA****Massachusetts**RPS Class I Renewable Generation Unit: **No**Solar Carve-Out Unit: **No**Auction Solar Carve-Out Unit: **No**RPS Class II Renewable Generation Unit: **No**RPS Class II Waste Energy Generation Unit: **No**APS Alternative Generation Unit: **No**Generation level per year or Energy imported per year above which qualifies as RPS New Renewable Resource: **NA**

RPS Statement Of Qualification Number:

Eligible MA Renewable for NOx allowances claims from Public Benefit set-a-side: **No**

MA Renewable NOx State Certification Number:

MaineClass I New Renewable Energy Resource Qualification: **No**Class II Eligible Resource: **Yes**Community Based Renewable Energy: **No**Eligible for CO2 Netting: **No**

State Certification Number:

Date of Eligibility: **NA****Rhode Island**New Renewable Energy Resource: **No**

State Certification Number:

Date of Eligibility: **NA**

Existing Renewable Energy Resource: **No**

State Certification Number:

Date of Eligibility: **NA**

New Hampshire

Class I Source: **No**

Average annual electric production (in MWh) from a facility other than hydroelectric from 2004 through 2006, or for the first 36 months after commercial operation if that date is after December 31, 2001: **NA**

Average annual production (in MWh) of a hydroelectric facility from the later of January 1, 1986 or the date of first commercial operation through December 31, 2005 (if such a facility was upgraded or expanded during this baseline period, actual generation should be adjusted to estimate the average annual production that would have occurred had the upgrade or expansion been in place for this entire period): **NA**

Class II Source: **No**

Class III Source: **No**

Class IV Source: **No**

State Certification Number:

Date of Eligibility: **NA**

Part 3 - Emissions

CEM Reporting: **No**

ORIS PL:

Emissions Unit ID(s):

Peer unit name and address (if not reporting actual generator emissions): **NA**

Normalized emission per MWh (pounds)

- Carbon dioxide: **0.00000**

- Carbon monoxide: **0.00000**

- Mercury: **0.00000**

- Nitrogen oxides: **0.00000**

- Particulate matter: **0.00000**

- Particulate Matter 10 Microns: **0.00000**

- Sulfur dioxides: **0.00000**

- Volatile organic compounds: **0.00000**

Emissions Free Energy Certificate: Yes

Part 4 - Labor Characteristics

Majority of employees operating at generation plant are employed under collective bargaining agreement: **No**

If generating plant experienced a labor dispute in the most recent calendar year, replacement workers were used: **No**

Part 5 - Vintage

Vintage (month and year of commercial operation): **12/1983**

Repowering/derate date: **NA**

Refurbishment date: **NA** (Relevant to Maine RPS)

Date Operation Recommended after at Least Two Years of Not Operating: **NA** (Relevant to Maine RPS)

Date recognized by System Operators as capacity resource after not being recognized as a capacity resource for at least two years: **NA** (Relevant to Maine RPS)

Capacity addition/subtraction: **NA**

FERC hydroelectric license relicensing date: **NA**

Part 6 - Asset identification

Asset identification: **2281**

Asset owner: **NA**
Status: **ACT**
Capacity: **0.67**
Ability to Cogenerate Electricity and Steam: **No**
Steam was generated with Electricity for the Vintage : **No**

Part 7 - Total MWh generated during the reporting period

Total MWh generated: **█**

Part 8 - Location of GIS Generator

Location of generating unit: **New England (ISO New England Control Area)**
State: **MAINE**

Part 9 - Green-E Eligibility

Green-E eligible: **No**
Green-E fuel type: **Hydroelectric/Hydropower-Hydroelectric/Hydropower2-Less than 30MW**

Part 10 - Third Party Reporting Entity

Third Party Reporting Entity: **ISO-NE**

Part 11 - Status under Regional Greenhouse Gas Initiative

Generating Unit in Control Area that is subject to RGGI requirements ("RGGI-Affected"): **No**
Generating Unit in Control Area that is not RGGI-Affected solely because it has a generating capacity under 25 MW: **No**
Generating Unit in Control Area that is not RGGI-Affected because of its fuel source, regardless of its generating capacity: **Yes**
Generating Unit not in Control Area: **No**

Part 12 - Low Impact Hydro Institute Certification

Low Impact Hydro Institute eligible: **0**

ATTACHMENT 5
AFFIDAVIT

STATE OF NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

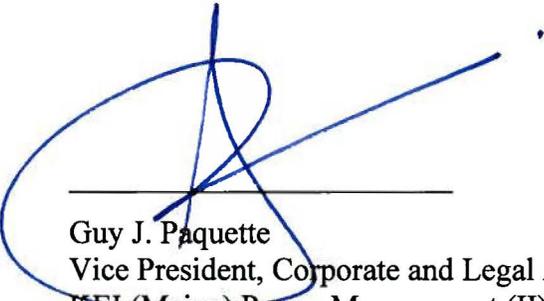
APPLICATION OF KEI (MAINE) POWER MANAGEMENT
(II) LLC FOR CLASS IV RENEWABLE ENERGY SOURCE
ELIGIBILITY OF BROWNS MILL HYDROELECTRIC
PROJECT (FERC No. 5613)

Affidavit of Guy J. Paquette

I, Guy J. Paquette, of the City of Westmount, in the Province of Quebec, hereby TAKE OATH AND SAY as follows:

1. I am Vice President, Corporate and Legal Affairs of KEI (Maine) Power Management (II) LLC (“KEI”). As such, I have direct knowledge of the matters referenced herein or access to the relevant corporate records.
2. KEI is submitting an application for qualification as a Class IV renewable energy source for the Browns Mill Hydroelectric Project pursuant to New Hampshire Admin. Code Puc 2500 Rules, (the “Application”);
3. I certify that the information submitted with the Application and all attachments thereto are to the best of my knowledge true and accurate.

DATED THIS 17th DAY OF FEBRUARY 2012



Guy J. Paquette
Vice President, Corporate and Legal Affairs
KEI (Maine) Power Management (II) LLC

SOLEMNLY AFFIRMED TO BEFORE ME THIS 17th DAY OF FEBRUARY 2012.



Janet Shulist
Commissioner for Oaths for all Districts
of Quebec and Outside Quebec
Seal No: 130 003



ATTACHMENT 6
LETTER TO FERC REGARDING TRANSFER OF EXEPMTIONS

RATH YOUNG PIGNATELLI

M. Curtis Whittaker
Attorney at Law
mcw@rathlaw.com
Please reply to Concord Office

December 18, 2009

VIA ELECTRONIC FILING

Kimberly D. Bose, Secretary
Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission
Mail Code: DHAC, PJ-12
888 First Street, N.E.
Washington, DC 20426

Re: KEI (Maine) Power Management (II) LLC Notice of Transfer of Exemption
Ridgewood Maine Hydro Partners, L.P. for Project Nos.:

P-5613
(exempt per order dated
8/3/1982)

P-5647
(exempt per order
dated 1/23/92)

Dear Secretary Bose:

This letter is intended to serve as official notice pursuant to 18 C.F.R. §4.106(i) that effective November 20, 2009, Ridgewood Maine Hydro Partners, L.P. ("Ridgewood"), formerly the sole holder of the exemptions issued by the Commission for the above-referenced hydroelectric projects (the "Projects"), has assigned such exemptions to KEI (Maine) Power Management (II) LLC ("KEI"). Ridgewood has informed KEI of the terms

National Impact. Uniquely New Hampshire.

Rath, Young and Pignatelli, P.C.
www.rathlaw.com

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F (603) 226-2700

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54 Canal Street
Boston, MA 02114
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F (617) 523-8855

RATH YOUNG PIGNATELLI

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
December 18, 2009
Page 2

and conditions of the exemptions, and KEI has agreed to assume all the obligations under the Commission's orders for the Projects.

On behalf of KEI, we request that all notices to the holder of the above-referenced exemptions be provided as follows:

KEI (Maine) Power Management (II) LLC
c/o KEI (USA) Power Management Inc.
3285, chemin Bedford
Montreal (Quebec) H3S 1G5
CANADA
Attn: Guy J. Paquette
guy.paquette@kruger.com
tel.: (514) 343-3247

with a copy to Exemptee's counsel:

M. Curtis Whittaker
Rath, Young and Pignatelli, P.C.
1 Capital Plaza, Suite 1500
Concord, NH 03302-1500
mcw@rathlaw.com
tel.: (603) 226-2600

This notice is submitted consistent with each Project's exemption. The appropriate qualifying small power production facility self-recertification required under 18 C.F.R. Part 292 will be submitted subsequent to this notice being filed.

Thank you for your attention to this matter. If you have any questions, please contact me at 603-226-2600.

Sincerely,



M. Curtis Whittaker
Jill Dinneen
Counsel,
KEI (Maine) Power Management (II) LLC
KEI (USA) Power Management Inc.

RATH YOUNG PIGNATELLI

cc:

(via email)

Guy J. Paquette

KEI (USA) Power Management Inc.

3285, chemin Bedford

Montreal (Quebec) H3S 1G5

CANADA

(via Priority Mail)

FERC REGIONAL OFFICE

Peter R. Valeri, Regional Engineer

Office of Energy Projects

Division of Dam Safety and Inspections

New York Regional Office

19 West 34th Street

Suite 400

New York, NY 10001-3006

Telephone: 212-273-5930

FERC SERVICE LIST

Harry T. Stewart

Director

New Hampshire Department of Environmental
Services

29 Hazen Dr

Concord, NEW HAMPSHIRE 03301-6504

Mark Howe

VP Hydroelectric Operations

Ridgewood Power Management LLC

86 Winthrop Street

Ste 3

Augusta, MAINE 04330

mhowe@ridgewoodpower.com

John Bahrs

Vice President

Ridgewood Power Management LLC

947 Linwood Ave

Ridgewood, NEW JERSEY 07450-2939

ATTACHMENT 7
PROJECT PHOTOGRAPHS



Figure 2: Browns Mill Upstream Fish Passage



Figure 1: Browns Mill Downstream Fish Passage