DE08-123

STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

APPLICATION FORM

FOR RENEWABLE ENERGY SOURCE ELIGIBILITY

Pursuant to New Hampshire Admin. Code Puc 2500 Rules

NOTE: When completing this application electronically, using the "tab" key after completing each answer will move the cursor to the next blank to be filled in. If a question is not applicable to your facility, then check the box next to N/A.

Pursuant to Puc 202, the signed application shall be filed with the Executive Director and Secretary of the New Hampshire Public Utilities Commission (Commission). To ensure that your submitted application is complete, please read RSA 362-F and N.H. Code Admin. Rules Puc 2500 before filling out this application. It is the burden of the applicant to provide timely, accurate and complete information as part of the application process. Any failure by the applicant to provide information in a timely manner may result in the Commission dismissing this application without prejudice.

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1. **ELIGIBILITY CLASS APPLIED FOR:** ☐ I ☐ II ☐ III ☒ IV

2. Applicant's legal name: **FPL Energy Maine Hydro LLC**

3. Address: (1) **160 Capitol Street, Suite 8**

   Augusta (City) **ME** (State) **04330** (Zip code)

4. Telephone number: **(207) 623-8413**

5. Facsimile number: **(207) 623-1016**

6. Email address: **al.wiley@fpl.com**

7. Facility name: **North Gorham Project**

8. Facility location: (1) **Presumpscot River (River mile 19.5 from the head-of-tide)**

   Gorham, Windham, Standish (City) **ME** (State) **04038** (Zip code)

9. Latitude: **43° 48' 08.91" N** Longitude: **70° 26' 59.81" W**

10. The name and telephone number of the facility's operator, if different from the owner: Same [X]

(Name) (Telephone number)

11. The ISO-New England asset identification number, if applicable: **760** or N/A: [ ]

12. The GIS facility code, if applicable: **MSS760** or N/A: [ ]

13. **The North Gorham Project is a hydroelectric facility located on the Presumpscot River in Gorham, Standish and Windham, Cumberland County, Maine. It was constructed in 1901 with its current generators installed in 1925-26. The Project consists of a 970 ft. 6 in. long dam and abutments, a powerhouse with two Allis-Chalmers generating units, appurtenant facilities, and a 98 acre impoundment. The impoundment includes a swimming area and boat carry-in, as well as a downstream boat carry-in site. The total nameplate generator rating is 2.25 MWs and has a maximum hydraulic capacity of 950 cfs. The ISO-NE Winter claimed capability is 2.0 MW and the Summer claimed capability is 1.866 MW (as of 4/1/08). The project operates as a run-of-river station.**

14. If Class I certification is sought for a generation facility that uses biomass, the applicant shall submit:
    (a) quarterly average NOx emission rates over the past rolling year,
    (b) the most recent average particulate matter emission rates as required by the New Hampshire Department of Environmental Services (NHDES),
    (c) a description of the pollution control equipment or proposed practices for compliance with such requirements,
    (d) proof that a copy of the completed application has been filed with the NHDES, and
    (e) conduct a stack test to verify compliance with the emission standard for particulate matter no later than 12 months prior to the end of the subject calendar quarter except as provided for in RSA 362-F:12, II.
    (f) [X] 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:
    (a) demonstrate that it has made capital investments after January 1, 2006 with the successful purpose of improving the efficiency or increasing the output of renewable energy from the facility, and
    (b) supply the historical generation baseline as defined in RSA 362-F:2, X.
    (c) [X] N/A: Class I certification is NOT being sought for the incremental new production of electricty 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:
    (a) demonstrate that it has made new capital investments for the purpose of restoring unusable generation capacity or adding to the existing capacity, in light of the NHDES environmental permitting requirements or otherwise, and

(b) provide documentation that eighty percent of its tax basis in the resulting plant and equipment of the eligible generation capacity, including the NHDES permitting requirements for new plants, but exclusive of any tax basis in real property and intangible assets, is derived from the new capital investments.

(c) [X] 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:

(a) demonstrate that it has made new capital investments for the purpose of repowering with eligible biomass technologies or methane gas and complies with the certification requirements of Puc 2505.04, if using biomass fuels, and

(b) provide documentation that eighty percent of its tax basis in the resulting generation unit, including NHDES permitting requirements for new plants, but exclusive of any tax basis in real property and intangible assets, is derived from the new capital investments.

(c) [X] 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

See Attachment I - Note; upstream passage is not currently required of the project. Downstream passage was installed in 1995.

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

See Attachment II

(c) [ ] N/A: Class IV certification is NOT being sought for existing small hydroelectric facilities.

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.

N/A - The source is located in the ISO-NE 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.

N/A

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 source is interconnected with Central Maine Power Company in its service territory in Maine under the terms of the "Continuing Site Interconnection Agreement" dated Jan. 6, 1998 and as amended from time to time. Applicable excerpts related to the North Gorham Project are attached in Attachment III.

22. A description of how the generation facility is connected to the local electric distribution utility.
See Item 21.

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

24. A statement as to whether the facility's output has been verified by ISO-New England.
The North Gorham Project has been verified with ISO-NE for its maximum generating output. [See responses to items 11, 13, 19, & 21]

25. A description of how the facility's output is reported to the GIS if not verified by ISO-New England.
N/A - [See reponse to item 12]

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

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

28. This application and all future correspondence should be sent to:

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

29. Preparer's information:

Name: **Nate Stevens**

Title: **Associate Business Manager**

Address: (1) **FPL Energy Maine Hydro LLC**

160 Capitol Street, Suite 8

Augusta	**ME**	**04330**
(City)	(State)	(Zip code)

30. Preparer's signature: Nat St 9-24-08

Attachment 1

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.
GOVERNOR

MARTHA KIRKPATRICK
COMMISSIONER

CONDITION COMPLIANCE

August 14, 2002

Frank Dunlap
Senior Environmental Coordinator
FPL Energy Maine Hydro LLC
150 Main Street
Lewiston, ME 04240

RE: North Gorham Hydro Project
SPECIAL CONDITION #3(B)
DEP #L-17475-33-F-C

Dear Mr. Dunlap:

The Bureau of Land and Water Quality has reviewed the information submitted by FPL Energy Maine Hydro LLC (FPL Energy) in accordance with Special Condition #3(B) of Department Order #L-17475-33-A-N dated September 24, 1992. This Order was issued pursuant to Section 401 of the Clean Water Act in conjunction with the relicensing of the North Gorham Hydro Project.

Condition 3 reads in pertinent parts as follows:

"3. FISH PASSAGE FACILITIES

A. Downstream fish passage facilities shall be installed and operational at the North Gorham Dam within two years following the issuance of a new FERC license for the project, provided that within this period the Department of Inland Fisheries and Wildlife amends its existing Presumpscot River Management Plan to include the waters of the North Gorham Project.

B. The applicant shall, in accordance with the schedule established in a new FERC license for the project, submit functional design drawings, a construction schedule, and operating and maintenance plans for the downstream fish passage facility required by Part A of this condition,

> prepared in consultation with state and federal fisheries agencies. These submittals shall be reviewed by and must receive approval of the state and federal fisheries agencies, FERC, and the DEP prior to facilities construction."

By Order dated December 23, 1999, the Department approved the transfer of all permits, certifications, conditions compliances and other approvals for Central Maine Power Company's hydroelectric facilities, including the Skelton Project, to FPL Energy Maine Hydro LLC.

In response to Condition 34(B), by filing dated April 12, 2000, FPL Energy submitted drawings titled "North Gorham Project Downstream Fish Passage Functional Design" (CMP, March 22, 1994) and an "Operations and Maintenance Plan For The North Gorham Downstream Fish Passage Facility" (CMP July 1995).

In accordance with the functional design drawings, downstream fish passage for landlocked salmon and brook trout would be provided by operation of the project's deep gates and creation of a 6-foot deep plunge pool in the gate discharge area. The pool would be created by constructing a boulder and rubble dike. This design would be in lieu of construction of a downstream flume. Construction of the plunge pool was completed in 1994.

Under the proposed operation and maintenance plan, the deep gates and plunge pool would be inspected and repaired or cleaned as necessary each spring after ice-out. The deep gates would then be operated to provide downstream passage during the spring run-off period. Operation of the deep gates to provide downstream fish passage began in 1995.

By Order dated August 17, 1994, FERC approved the applicant's downstream fish passage functional design drawings. By Order dated November 14, 1995, FERC approved the applicant's fish passage facility operation and maintenance plan.

No objections to the applicant's design drawings or operation and maintenance plan have been raised by state or federal fisheries agencies.

As a result of this review, the Department has found that the study report as submitted satisfactorily addresses the requirements of Condition 3(B).

Therefore, based on the above referenced review, the Department concludes that FPL Energy has complied with Condition 3(B) of Department Order #L-17475-33-A-N.

If you have any further questions regarding this matter, please contact your DEP project manager, Dana Murch, at 207-287-7784.

Sincerely,

Brooke E Barnes Jr

David A. Van Wie, Director
Bureau of Land & Water Quality

Date of initial receipt of application: 04/14/2000

Date application accepted for processing: 05/04/2000

FILED
AUG 15 2002
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

Date filed with Board of Environmental Protection: _____

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Central Maine Power Company

Project No. 2519-016
Maine

ORDER APPROVING DOWNSTREAM FISH PASSAGE FACILITY OPERATION AND MAINTENANCE PLAN

On September 5, 1995, Central Maine Power Company, licensee for the North Gorham Project, filed an operation and maintenance plan for the downstream fish passage facility at the project, pursuant to article 404 of the project license.

The North Gorham Project, on Maine's Presumpscot River, was licensed in a Commission order issued November 22, 1993. Fish passage facilities at the project will provide downstream passage for landlocked salmon and brook trout, supporting efforts by the Maine Department of Inland Fish and Wildlife (MDIFW) to enhance fisheries in the Presumpscot River. The use of the project's deep gates in conjunction with an adjacent downstream plunge pool were approved for the downstream passage of fish in a Commission order issued August 17, 1994.

Background

License article 404 requires, in part, that the licensee file an operation and maintenance plan, and schedule, for ensuring efficient operation and maintenance of downstream passage facilities. The article states that the plan shall include, at a minimum, a description of facility oversight and personnel commitments, and identify back-up equipment and supplies that shall be maintained to ensure fast repairs in the event of fishway breakdown.

Article 404 requires that the plan be prepared after consultation with the U.S. Fish and Wildlife Service (FWS), the Maine Department of Environmental Protection (MDEP), and the MDIFW. Documentation of consultation with the agencies, and copies of comments and recommendations, are to be included with the filed plan.

After the license was issued in November 1993, the licensee requested rehearing on several provisions. The licensee objected to the article 404 requirement that the operation and maintenance plan specify personnel commitments, back-up equipment and supplies for fishway repair, arguing that it amounted to micromanagement of day-to-day operation. This part of the licensee's request relating to the plan was denied by the Commission on October 31, 1995.

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NOV 14 1995

Licensee's Operation and Maintenance Plan

The licensee's September 5, 1995 filing contained the required operation and maintenance plan. The plan included sections on deep gate and plunge pool maintenance and operation, describing the tasks to be performed and the affiliations of the staff who would perform them.

Deep gate maintenance and operation. According to the plan, deep gate maintenance will be performed annually, at iceout, by the licensee's Southern Hydro Operations personnel. Personnel will conduct and document visual inspections of mechanical, electrical, and structural components of the deep gates for signs of winter damage, and repair them as necessary. As part of the inspection, deep gate mechanical and electrical systems will be energized, and systems will be repaired as necessary. The deep gates will be operated during the spring runoff period by the licensee's Systems Operation personnel. The number 4 deep gate will be operated on a first on-last off basis, because it provides the most favorable fish passage flows into the plunge pool.

Plunge pool maintenance and operation. Plunge pool maintenance will be conducted sometime during the spring runoff period by the licensee's Southern Hydro Operations personnel and Environmental & Licensing personnel. The plunge pool dike, overflow weir, and the pool itself will be inspected for damage and debris loading caused by spring runoff. Repairs and removal of debris will be done as necessary. Inspections will be documented. During deep gate operation, the licensee's Environmental and Licensing Department personnel will observe flows in and out of the plunge pool, and watch for evidence of passing fish. Observations will be documented.

By January 31 of each year, the licensee will submit a report summarizing fishway operations and observations for the previous year to agency personnel and the Commission. The report will be assembled by the licensee's Environmental and Licensing Department staff. The first report will be for 1996, and will be filed by January 31, 1997.

Agency Consultation

The licensee submitted the operation and maintenance plan to the FWS, MDEP, and MDIFW on July 31, 1995 for review and comment. The FWS commented on the plan in a letter dated October 6, 1995. The FWS stated that the plan, as detailed, should ensure that any downmigrating adult landlocked salmon or trout can pass the project safely. The MDIFW indicated, in a November 6, 1995 letter, that the plan adequately addresses the operation of the facility, and should adequately ensure safe passage of salmon and trout. No comments were received from the MDEP.

Discussion and Conclusions

The licensee's plan indicates that the project's downstream fish passage, consisting of deep gates and a plunge pool, will be satisfactorily operated and maintained. The licensee's designation of personnel for specified tasks in the plan indicate that sufficient resources have been allotted. The licensee's operation and maintenance plan meets the requirements of article 404 and should be approved.

The Director orders:

(A) The licensee's downstream fish passage facility operation and maintenance plan, filed September 5, 1995 pursuant to license article 404, is approved.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days from the date of issuance of this order, pursuant to 18 CFR § 385.713.

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

Attachment II

10/2/92 - cc: WCB, SDP, RGL, SAV E&L FILE: NGO-PER-STA ENGINEERING FILE: 372.8.2.3

STATE OF MAINE ROUTING: ~~FHD~~, ~~GDM~~, ~~GAB~~

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN R. McKERNAN, JR.
GOVERNOR

DEAN C. MARRIOTT
COMMISSIONER

DEBRAH RICHARD
DEPUTY COMMISSIONER

COMMENTS

September 28, 1992

RECEIVED
OCT 1
~~SEP 30~~ 1992

Lois D. Cashell, Secretary
Federal Energy Regulatory Commission
825 North Street, N.E.
Washington, D. C. 20426

RE: Application for New License
North Gorham Hydro Project
FERC No. 2519

Dear Secretary Cashell:

This is in response to your March 30, 1992 Notice of Application for New (Minor) License by Central Maine Power Company for the North Gorham Hydro Project, located on the Presumpscot River in Gorham, Cumberland County, Maine.

The Department of Environmental Protection has now issued Water Quality Certification for the relicensing of the North Gorham Hydro Project. A copy of the Department Order granting certification (DEP #L-17475-33-A-N dated September 24, 1992) is attached.

In summary, the continued operation of the project has been approved subject to the following special conditions:

1. Except as temporarily modified by operating emergencies beyond the applicant's control, a minimum flow of 222 cfs or inflow, whichever is less, shall be maintained from the project at all times.

2. Except as temporarily modified by approved maintenance activities, by inflows to the project area or by operating emergencies beyond the applicant's control, water levels in the North Gorham impoundment shall be maintained within one foot of normal surface elevation of 221.8 feet USGS datum (crest of spillway).

3. Downstream fish passage facilities shall be installed and operational at the North Gorham Dam within two years following the issuance of a new FERC license for the project, provided that within this period the Department of Inland Fisheries and Wildlife amends its existing Presumpscot River Management Plan to include the waters of the North Gorham Project.

AUGUSTA
STATE HOUSE STATION 17
AUGUSTA, MAINE 04333-0017
(207) 289-7688 FAX: (207) 289-7826
OFFICE LOCATED AT: RAY BUILDING, HOSPITAL STREET

PORTLAND
312 CANCO ROAD
PORTLAND, ME 04103
(207) 879-6300 FAX: (207) 879-6303

BANGOR
106 HOGAN ROAD
BANGOR, ME 04401
(207) 941-4570 FAX: (207) 941-4584

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, ME 04769
(207) 764-0477 FAX: (207) 764-1507

4. Public recreational access facilities shall be provided in the project area as described in the applicant's Water Quality Certification Application.

We recommend that the foregoing conditions be included in the Articles of any New License granted for the project, in compliance with the provisions of Sections 401(a) and (d) of the Clean Water Act.

By Executive Order of the Governor of the State of Maine, the terms and conditions contained in the enclosed Order represent the State's official recommendations regarding the subject Application for New License, superseding all preliminary recommendations by individual State agencies.

Please direct any questions regarding these comments to Brent McCarthy of the Department's staff at (207)-287-2111.

Sincerely,

Dean C. Marriott, Commissioner
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Attachments and Enclosure

cc: Director, DPR-OHL, FERC
Ed Lee, DPR-OHL, FERC
David Dominie, CMP
Steve Timpano, DIF&W
Sonny Pierce, DIF&W Region A
Lew Flagg, DMR
Barry Mower, DEP
Ed Baum, ASRSC
Betsy Elder, SPO
George Hannum, DOC
Norman Leonard, PUC
Dana Murch, DEP
Gordon Russell, USF&W
David Turin, US EPA
Derrill Cowing, USGS
Art Spiess, MHPC

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

CENTRAL MAINE POWER COMPANY	)	MAINE WATER QUALITY PROGRAM;
GORHAM, CUMBERLAND COUNTY, MAINE	)	FEDERAL CLEAN WATER ACT
NORTH GORHAM HYDRO PROJECT	)	
L-17475-33-A-N (APPROVAL)	)	WATER QUALITY CERTIFICATION

Pursuant to the provisions of 38 M.R.S.A. Section 464 et seq., and Section 401 of the Federal Water Pollution Control Act (a.k.a. Clean Water Act), the Department of Environmental Protection has considered the application of CENTRAL MAINE POWER COMPANY (CMP) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. APPLICATION SUMMARY

a. Application: The applicant proposes the continued operation of the existing North Gorham Hydro Project, located on the Presumpscot River in the Towns of Gorham, Standish and Windham, Cumberland County, Maine (See Exhibit 1).

b. Existing Project Features: The existing project consists of a dam with its associated impoundment (North Gorham Pond), penstocks, a powerhouse, and appurtenant structures (See Exhibit 2). The project was originally constructed in 1900-1901.

i. Project Dam. The North Gorham dam is located approximately 2 miles downstream of Sebago Lake on the Presumpscot River in Gorham, Maine. The dam is 970 feet long, constructed of stone masonry and concrete with a maximum height of 24 feet. The structure consists of a 600 foot non-overflow masonry wall, a 51 foot intake, a 47 foot gated section, a 256 foot spillway and a 15 foot sluice.

ii. North Gorham Pond Impoundment. The impoundment created by the dam has a surface area of 98 acres at normal full pond elevation of 221.8 feet (USGS), a maximum depth of 23 feet and extends 1.1 miles upstream to the tailrace of the Eel Weir Dam powerhouse (FERC No. 2984).

iii. Penstocks. The project facility has four 8-foot diameter steel penstocks which extend 50 feet to 70 feet downstream of the intake to the surge chambers at the powerhouse.

iv. Powerhouse. The powerhouse is located approximately 80 feet downstream of the intake in the dam and is constructed of brick on a stone masonry foundation. The superstructure measures approximately 58 feet wide by 71 feet long. The powerhouse contains two turbine-generator units with a total rated generating capacity of 2,250 kilowatts (kW) at a normal operating

head of 34.4 feet. Total hydraulic capacity is 950 cubic feet per second (cfs).

vi. Tailrace. There is a tailrace for each of the two units which discharges from the base of the surge chambers and along the sides of the powerhouse. The two discharge areas meet after passing by the remaining powerhouse structure. Normal tailwater elevation is 187.4 feet, which is essentially the headpond elevation of the downstream Dundee Project.

c. Existing Project Operation: Operation of the North Gorham Project is completely dependent upon flows released from Sebago Lake by the S.D. Warren Company at the Eel Weir Project. Using flow received from the upstream project, North Gorham is normally operated as a run-of-river (outflow equals inflow) project. The average annual river flow is approximately 657 cfs. Each of the two turbine units has a maximum hydraulic capacity of 475 cfs and a combined minimum hydraulic capacity of approximately 190 cfs. On an annual basis, flows exceed the maximum capacity approximately 14% of the time and are lower than 190 cfs less than 5% of the time. During normal flow periods, the generating units are operated to maintain the impoundment at approximately its normal full pond elevation of 221.8' (USGS).

Water released from Eel Weir passes through the trashracks at the North Gorham intake structure, travels through the four 8-foot diameter steel penstocks and enters the surge chambers in the powerhouse. The surge chambers contain waterwheels that connect to the generators, thus producing power.

d. Summary of Proposal: The applicant proposes to operate the existing project in accordance with several measures for the protection or enhancement of, or mitigation of impacts on public resources. These measures include:

- Passing a minimum flow from the project of 222 cfs (0.5 cfsm) or inflow, whichever is less;
- Providing a downstream fish bypass at the project dam;
- Developing a formal parking area and trail accessing the carry-in boat launch downstream of the project on the Windham side of the river; and
- Initiating periodic reviews of project recreational facility status and needs.

2. JURISDICTION

The proposed continued operation of the project qualifies as an "activity...which may result in (a) discharge into the navigable water (of the United States)" under the Clean Water Act (CWA), 33 USC 1251 et seq. Section 401 of the CWA requires that any applicant for a federal

license or permit to conduct such an activity obtain a certification that the activity will comply with applicable State water quality standards.

The project has been licensed as a water power project under the Federal Power Act (Project No. 2519). The initial project license was issued on December 6, 1966 and expires on December 31, 1993. The licensee has filed an Application for New License to continue to operate the project for another 40 years. This application is currently pending before the Federal Energy Regulatory Commission.

The Department has been designated by the Governor of the State as the certifying agency for issuance of Section 401 Water Quality Certification for hydropower projects located in organized municipalities subject to the Department's regulatory jurisdiction. The project is located in whole in the Towns of Gorham, Standish, and Windham, all of which are organized municipalities subject to the Department's jurisdiction.

3. APPLICABLE WATER QUALITY STANDARDS

a. Classification: The Presumpscot River is currently classified as Class A from the outlet of Sebago Lake to its confluence with Dundee Pond. 38 M.R.S.A. Section 467(9)(A).

b. Designated Uses: Class A waters shall be of such quality that they are suitable for the designated uses of drinking water after disinfection; fishing; recreation in and on the water; industrial process and cooling water supply; hydroelectric power generation; and as habitat for fish and other aquatic life. The aquatic life and bacteria content shall be as naturally occurs. 38 M.R.S.A. Section 465(2)(A).

The habitat characteristics and aquatic life criteria of Class A are deemed to be met in an existing impoundment classified A if the impounded waters achieve the aquatic life criteria of Class C, provided that any reasonable changes are implemented that do not significantly affect existing energy generation capability and would result in improvement in the habitat and aquatic life of the impounded waters, and further provided that, where the actual quality of the impounded waters attains any more stringent habitat characteristic or aquatic life criteria than required under the assigned classification, the existing water quality must be maintained and protected. 38 M.R.S.A. Section 464(10).

c. Numeric Standards: The dissolved oxygen (DO) content of Class A waters shall be not less than 7 parts per million or 75% of saturation, whichever is higher. 38 M.R.S.A. Section 465(2)(B).

d. Narrative Standards: Discharges to Class A waters shall be permitted only if the discharged effluent will be equal to or better than the existing water quality of the receiving waters. 38 M.R.S.A. Section

465(2)(C).

e. Antidegradation: The Department may only approve water quality certification if the standards of classification of the waterbody and the requirements of the State's antidegradation policy will be met. The Department may approve water quality certification for a project affecting a waterbody in which the standards of classification are not met if the project does not cause or contribute to the failure of the waterbody to meet the standards of classification. 38 M.R.S.A. Section 464(4)(F).

4. DISSOLVED OXYGEN

a. Existing Conditions: Within the project area, there are no known major industrial or sewage effluents or other point sources of pollution. In July 1986 and 1987 the applicant conducted water quality sampling, in consultation with the Department, within the project boundaries of the Presumpscot River. The data collected show that even at relatively high temperatures and low flows, DO was above 90% saturation and 7 ppm both above and below the Project.

b. Applicant's Proposal: The applicant proposes to continue to operate the project as a run-of-river facility while providing a minimum flow release of 222 cfs or inflow, whichever is less.

c. Discussion: The available data indicates that Class A DO standards are currently being met in the waters of the Presumpscot River affected by the project. The applicant's proposals to continue to operate the project in a run-of-river mode and to provide a minimum flow release of 222 cfs or inflow, whichever is less, should be adequate to maintain compliance with Class A DO standards.

5. FISH

a. Existing Resources: The Presumpscot River supports a number of both warmwater and coldwater fish species including smallmouth bass, largemouth bass, perch, pickerel, hornpout, sucker, minnows and landlocked salmon. The salmon drop down into the project impoundment and tailwater from Sebago Lake during high flow events. Historically, the Presumpscot River supported runs of Atlantic salmon and shad. The applicant conducted surveys and determined that there are no federally listed threatened or endangered species of fish known to occur in the project area.

b. Existing Management Plans: The Maine Department of Marine Resources (DMR) states that it has no plans to restore anadromous species upstream of the Cumberland Mills Dam which is located 13 miles downstream of the project.

The Atlantic Sea-Run Salmon Commission (ASRSC) states that it has no plans to restore Atlantic salmon to the Presumpscot River.

In the past, the Maine Department of Inland Fisheries and Wildlife (DIF&W) has managed the project waters primarily for resident warmwater species. The DIF&W does have coldwater fisheries management objectives for the upper reach of the Presumpscot that are identified in a plan entitled, "Presumpscot River, Eel Weir By-pass Reach, Strategic Plan for Fisheries Management" (Plan) (Pierce, August 1985). The objectives of the plan are to: maximize the potential habitat for landlocked salmon; provide for controlled downstream passage facilities at the Eel Weir Dam; maintain existing public access and enhanced safe parking; allowance of an annual harvest of between 150 and 250 salmon; and provide angling diversity via limited brook trout stocking. In conjunction with the goals of the plan, DIF&W requested during consultation that the applicant develop functional design and operational plans for downstream passage for salmon and trout dropping down from Sebago Lake and North Gorham Pond into Dundee Pond. The DIF&W has been awaiting the establishment of a minimum flow in the Eel Weir by-pass reach which would be adequate to maximize the potential habitat units for landlocked salmon and allow for the implementation of its Plan.

On January 7, 1992, the Federal Energy Regulatory Commission issued an order which established a minimum flow in the by-pass channel of the Eel Weir Hydro Project. The DIF&W reports that it has now implemented its fisheries management plan for the Upper Presumpscot River and began stocking landlocked salmon in North Gorham Pond and brook trout in the Eel Weir by-pass during the spring of 1992.

c. Applicant's Proposals:

i. Water Levels. The applicant proposes to continue operating the Project in a run-of-river mode in order to maintain the impoundment level within one foot of its normal full pond elevation of 221.8 feet.

ii. Minimum Flows. The applicant proposes to pass a minimum flow of 222 cfs or inflow, whichever is less, from the Project under normal operating conditions.

iii. Fish Passage. The applicant proposes to provide a downstream fish bypass at the project dam by modifying the existing trash sluice (See Exhibit 2) predicated on three conditions: clarification or extension of DIF&W's Presumpscot River Management Plan goals relative to North Gorham project waters; issuance by FERC of a minimum flow order for the Eel Weir Project; and full implementation by DIFW of its fish management plan, including stocking in the Presumpscot River between the Eel Weir and North Gorham Dams.

d. Discussion: The applicant's proposals to provide a minimum flow of 222 cfs or inflow, to maintain full pond elevation during normal operations, and to provide downstream fish passage by modifying the existing trash sluice have been accepted by ASRSC, DIF&W, and DMR.

These proposals appear to be adequate to achieve and maintain suitable use of the waters affected by the project as habitat for fish.

The applicant has expressed concern that the DIF&W Plan sets specific management goals only for the by-pass reach and does not specifically address the waters of the North Gorham project. The DIF&W comments that there have historically been salmon in the by-pass and in North Gorham Pond as a direct result of salmon dropping down from Sebago Lake at the Eel Weir Dam. For the past two years, the DIF&W has been stocking North Gorham pond to enhance that fishery. DIF&W intends to amend the Plan to incorporate Dundee Pond (below the North Gorham Project) and North Gorham Pond as waters to be managed.

6. OTHER AQUATIC LIFE

a. Existing Resources: The project impoundment and surrounding shoreline support limited populations of wildlife species including: beaver, mink, river otter and muskrat. The applicant has conducted surveys and determined that there are no rare or unusual invertebrate or vertebrate species in the project area.

b. Applicant's Proposals: The applicant proposes to continue operating the Project in a run-of-river mode to maintain the impoundment level within one foot of its normal full pond elevation of 221.8 feet, and to pass a minimum flow of 222 cfs or inflow, whichever is less, from the Project under normal operating conditions.

c. Discussion: The applicant's proposals to maintain impoundment levels within one foot of its normal full pond elevation of 221.8 feet and to provide a minimum flow release of 222 cfs or inflow have been accepted by the DEP's Bureau of Water Quality Control as being adequate to achieve and maintain suitable use of the waters affected by the project as habitat for aquatic life other than fish.

7. FISHING AND RECREATION IN AND ON THE WATER

a. Existing Facilities and Use: General recreation use at the Project presently consists of swimming, boating, and fishing (from shore and from boats). The project area receives minimal use compared to the major recreational attraction in the area, Sebago Lake, which is two miles upstream. Sebago Lake has recreational facilities which include: Sebago Lake State Park, eight public boat launch sites, commercial campgrounds, day use picnic areas, and a variety of other commercial businesses associated with recreation.

b. Existing Management Plans: In 1989, the applicant developed a Comprehensive Recreational Facilities Plan which was designed to meet current and anticipated public recreational needs at CMP-owned hydro projects. The plan analyzes recreational needs on a local and regional basis.

c. Applicant's Proposals: Utilizing recommendations made by the Recreational Facilities Plan, the applicant proposes the following measures:

- Relocate and improve the existing informal parking area and trail serving the carry-in boat access site on the east side of the river downstream of the tailrace (See Exhibit 1);
- Lease a parcel of land on the shore of the impoundment to the Town of Gorham for recreational management (See Exhibit 1);
- Develop and install a public informational signage program; and
- Periodically assess recreational needs at the project site in consultation with the appropriate State agencies.

d. Discussion: The Maine Department of Inland Fisheries and Wildlife has commented on the need to provide improved access to the project impoundment to allow public utilization of the fishery resources currently available and the enhanced resources likely to be available in the near future.

The applicant's proposals to maintain and improve existing recreational facilities and to periodically assess future recreational needs appear to be adequate to achieve and maintain suitable use of waters affected by the project for fishing and recreation in and on the water.

8. HYDROELECTRIC POWER GENERATION

a. Existing Energy Generation: The project generates an average of 11,147,823 kilowatt-hours (kWH) of electricity annually. This is equivalent to the energy that would be produced by burning 18,579 barrels of oil or 5165 tons of coal each year. Project power is fed to a substation for use by the applicant's residential, commercial, and industrial customers.

b. Existing Energy Policies/Plans: The State of Maine has adopted an Energy Resources Plan (Office of Energy Resources, October 1987) designed to "promote the present and future economic well-being of Maine residents and businesses by ensuring the availability of reliable energy at the lowest possible cost." Specifically, the Plan calls for the State to:

- Encourage cost-effective energy conservation measures in the public sectors and least cost planning in the electric and gas industries;
- Promote the environmentally-sound development and use of cost-effective indigenous and renewable energy resources;
- Pursue strategies designed to reduce the cost of all imported

energy and to increase the availability of natural gas in the state; and

- Encourage the diversification of energy investments in Maine.

With respect to hydroelectric power, the Plan recommends that the development of hydropower be encouraged in a manner consistent with the Maine Rivers Act and that the upgrading of existing hydroelectric dams be examined during relicensing.

c. Applicant's Proposal: The applicant has determined that turbine and generator efficiencies are relatively good and that the project is reasonably developed and operated, and therefore is not proposing any fundamental changes or redevelopment.

The applicant is proposing to enhance the project's natural resources by constructing and operating a downstream fish passage facility at the project dam. The passage of flows through any future downstream fish passage will reduce generation flows by approximately 2% and generation by 3.5% annually.

d. Discussion: As proposed, the North Gorham Hydro Project will continue to provide cost-effective indigenous and renewable electricity.

BASED on the above Findings of Fact, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. The continued operation of the project will result in the affected surface waters being suitable for all Class A designated uses provided that:

   i. the project is operated as run-of-river (outflow equals inflow) while providing a minimum flow of 222 cubic feet per second (cfs) or inflow, whichever is less;

   ii. the impoundment level is maintained within one foot of its full pond elevation of 221.8 feet;

   iii. downstream fish passage is provided, and

   iv. existing recreational management is continued and periodic assessments of status and need are conducted.

2. The continued operation of the project will result in Class A numeric standards for dissolved oxygen being met in the affected waters provided that the facility is operated as run-of-river (outflow equals inflow) while providing a minimum flow of 222 cubic feet per second (cfs) or inflow, whichever is less.

3. The continued operation of the project will result in Class A narrative standards for aquatic life being met in the affected waters provided that the facility is operated as run-of-river (outflow equals inflow) while providing a minimum flow of 222 cubic feet per second (cfs) or inflow, whichever is less.

4. The continued operation of the project will comply with the State's antidegradation policy provided that the project is modified and operated in accordance with the conclusions reached above.

THEREFORE, the Department GRANTS certification that there is a reasonable assurance that the continued operation of the North Gorham Hydro Project, as described above, will not violate applicable water quality standards, SUBJECT TO THE FOLLOWING CONDITIONS:

1. MINIMUM FLOWS

As modified by order 2/26/96.

* A. Except as temporarily modified by approved maintenance activities, or operating emergencies beyond the applicant's control as defined below, or upon mutual agreement between the applicant and the Department an instantaneous minimum flow release of 222 cubic feet per second (cfs) or inflow, whichever is less, shall be maintained from the project at all times.

B. Operating emergencies beyond the applicant's control include, but may not be limited to, equipment failure or other temporary abnormal operating condition, generating unit operation or interruption under power supply emergencies, and orders from local, state, or federal law enforcement or public safety authorities.

C. The applicant shall, in accordance with the schedule established in a new FERC license for the project, submit plans for providing and monitoring the minimum flow required in Part A of this condition. These plans shall be reviewed by and must receive approval of the DEP Bureau of Land Quality Control.

2. WATER LEVELS

* A. Except as temporarily modified by approved maintenance activities or by inflows to the project area or by operating emergencies beyond the applicant's control, as defined below, or upon mutual agreement between the Applicant and the Dept. water levels in the North Gorham impoundment shall be maintained within one foot of normal surface elevation of 221.8 feet USGS datum (crest of spillway).

* B. Operating emergencies beyond the applicant's control include, but may not be limited to, equipment failure or flashboard failure, or other temporary abnormal operating condition, generating unit operation or interruption under power supply emergencies, and orders from local, state, or federal law enforcement or public safety authorities.

* CONDITIONS 1(A), 2(A), 2(B) MODIFIED by L-17475-33-D-M, FEB 26, 1996

C. The applicant shall, in accordance with the schedule established in a new FERC license for the project, submit plans for providing and monitoring the water levels in the North Gorham impoundment as required in Part A of this condition. These plans shall be reviewed by and must receive approval of the DEP Bureau of Land Quality Control.

3. FISH PASSAGE FACILITIES

A. Downstream fish passage facilities shall be installed and operational at the North Gorham Dam within two years following the issuance of a new FERC license for the project, provided that within this period the Department of Inland Fisheries and Wildlife amends it existing Presumpscot River Management Plan to include the waters of the North Gorham Project.

B. The applicant shall, in accordance with the schedule established in a new FERC license for the project, submit functional design drawings, a construction schedule, and operating and maintenance plans for the downstream fish passage facility required by Part A of this condition, prepared in consultation with state and federal fisheries agencies. These submittals shall be reviewed by and must receive approval of state and federal fisheries agencies, FERC, and the DEP Bureau of Land Quality Control prior to facilities construction.

4. RECREATIONAL FACILITIES

A. Public recreational access facilities shall be provided in the project area as described in the applicant's Water Quality Certification Application.

B. The applicant shall, in accordance with the schedule established in a new FERC license for the project, submit a schedule for providing recreational facilities as required by Part A of this condition. This schedule shall be reviewed by the Department of Conservation and must receive approval of the DEP Bureau of Land Quality Control.

5. LIMITS OF APPROVAL

This approval is limited to and includes the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. All variances from the plans and proposals contained in said documents are subject to the review and approval of the Board or Department prior to implementation.

6. COMPLIANCE WITH ALL APPLICABLE LAWS

The applicant shall secure and appropriately comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements and orders required for the operation of the project.

7. Effective Date
This water certification shall be effective on the date of issuance of a new hydropower project license by the Federal Energy ...

CENTRAL MAINE POWER COMPANY	11	MAINE WATER QUALITY PROGRAM;
GORHAM, CUMBERLAND COUNTY, MAINE	)	FEDERAL CLEAN WATER ACT
NORTH GORHAM HYDRO PROJECT	)	
L-17475-33-A-N (APPROVAL)	)	WATER QUALITY CERTIFICATION

Regulatory Commission (FERC) and shall expire with the expiration of this FERC license.

DONE AND DATED AT AUGUSTA, MAINE, THIS 24th DAY OF September, 1992

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: Martha G. Kirkpatrick
Dean C. Marriott, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application 11/08/91.
Date application accepted for processing 12/30/91.

Date filed with Board of Environmental Protection

FILED
SEP 28 1992
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

L1747533AN.DOC

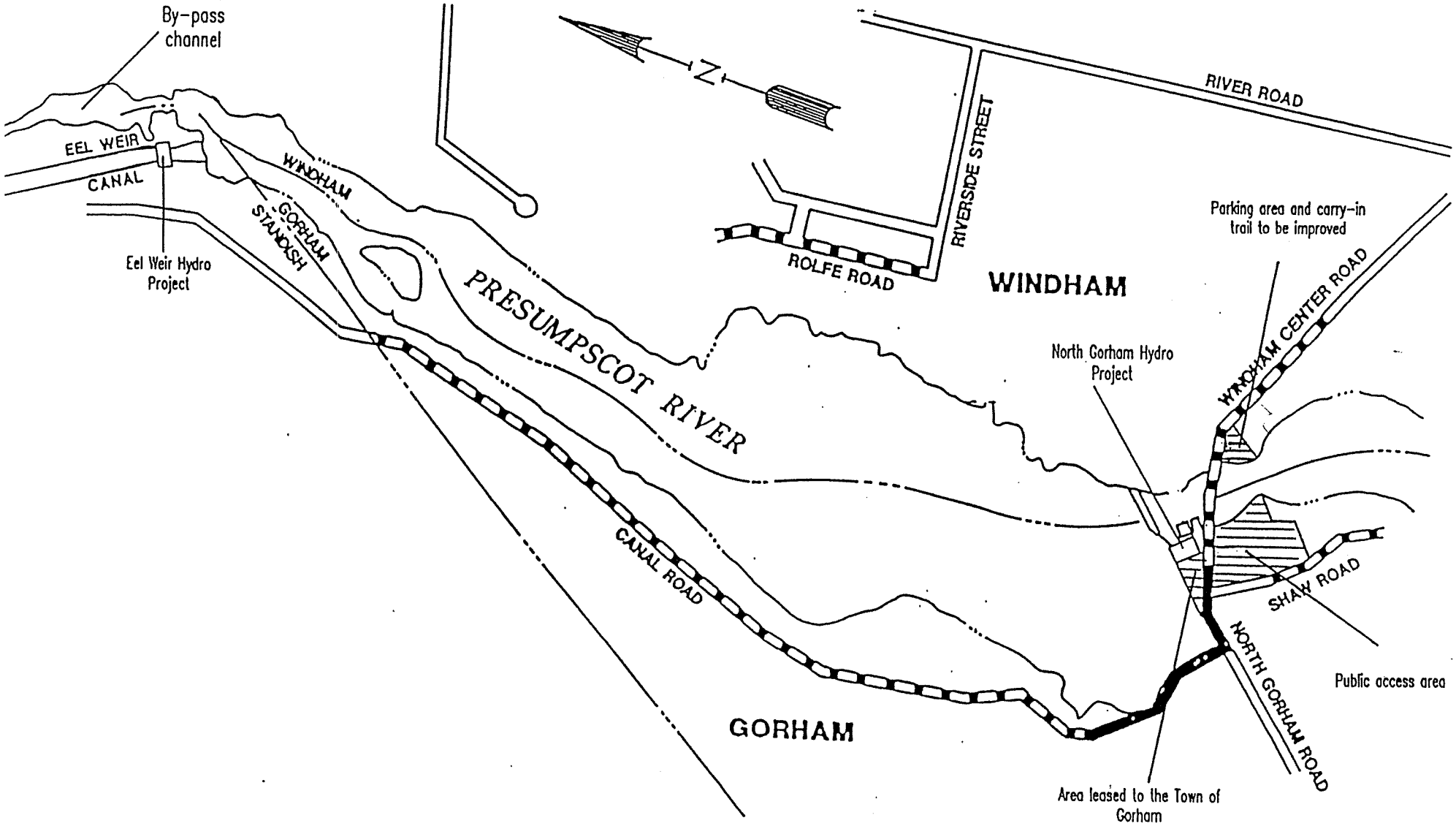
By-pass channel
EEL WEIR
CANAL
Eel Weir Hydro Project
WINDHAM
GORHAM
STANDISH
PRESUMPSCOT RIVER
N
RIVER ROAD
RIVERSIDE STREET
ROLFE ROAD
WINDHAM
Parking area and carry-in trail to be improved
WINDHAM CENTER ROAD
North Gorham Hydro Project
CANAL ROAD
SHAW ROAD
NORTH GORHAM ROAD
Public access area
GORHAM
Area leased to the Town of Gorham

Exhibit 1

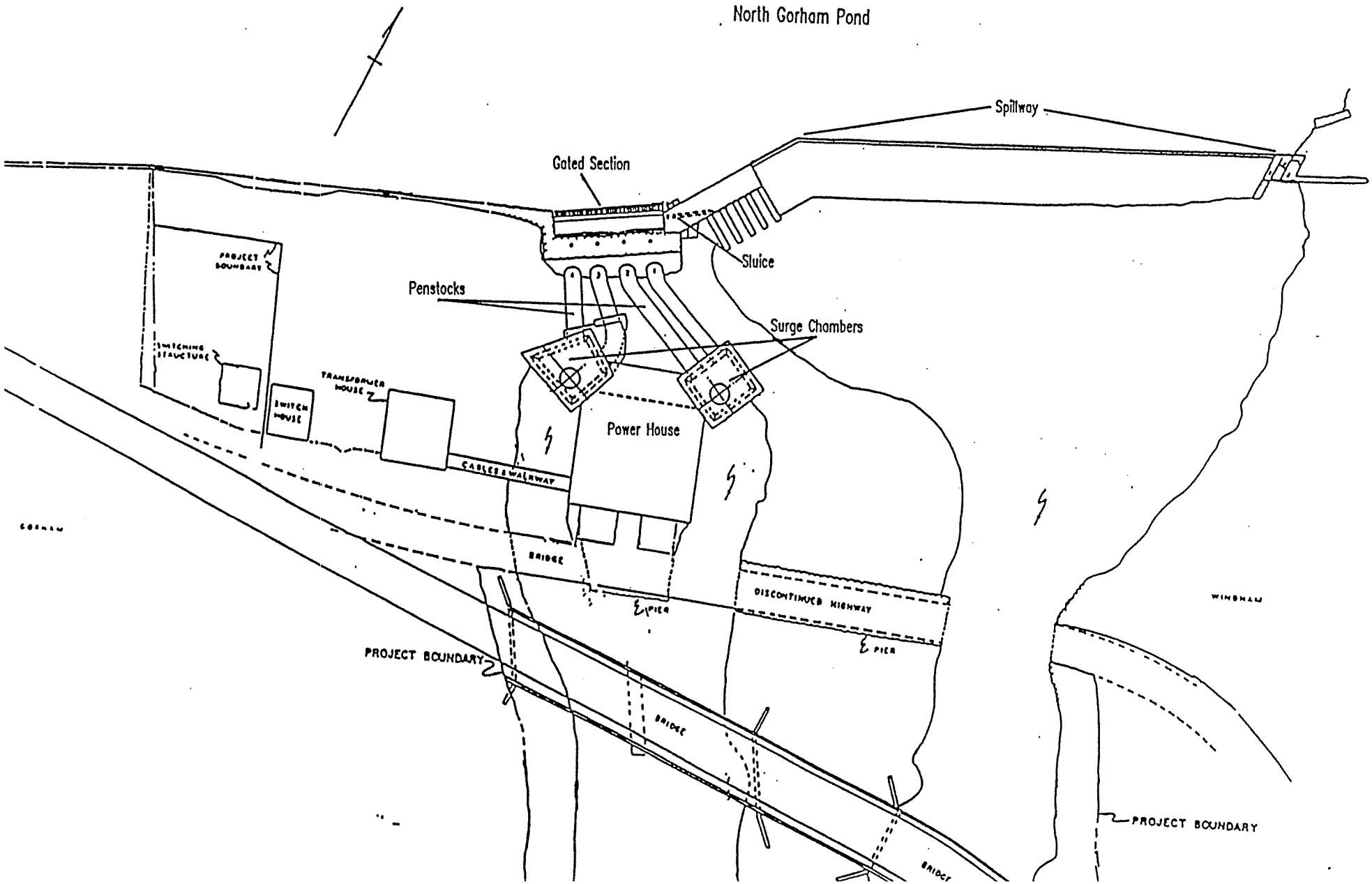
North Gorham Pond
Spillway
Gated Section
Sluice
Penstocks
Surge Chambers
Power House
PROJECT BOUNDARY
SWITCHING STRUCTURE
SWITCH HOUSE
TRANSFORMER HOUSE
CABLES & WALKWAY
BRIDGE
PIER
DISCONTINUED HIGHWAY
PIER
PROJECT BOUNDARY
BRIDGE
BRIDGE
PROJECT BOUNDARY
WINDHAM

Exhibit 2

CC: SAV,PAW,MTW,MTowns,AHiggins,RGL; Tech. File: 372-8.2.1
Route: ~~EHD~~, ~~MRS,GAB~~; Env'l/Lic. File: NGO-PER-STA

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

CENTRAL MAINE POWER COMPANY	)	WATER QUALITY CERTIFICATION
GORHAM, CUMBERLAND COUNTY, MAINE	)	
NORTH GORHAM PROJECT	)	
L-17475-33-D-M (APPROVAL)	)	MODIFICATION

Pursuant to the provisions of 38 M.R.S.A. Section 630 et seq., and 06-096 CMR Chapter 450, Administrative Regulations for Hydropower Projects, (September 31, 1987), and Section 401 of the Clean Water Pollution Control Act, the Department of Environmental Protection has considered the application of CENTRAL MAINE POWER COMPANY (CMP) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. INTRODUCTION

The applicant proposes to modify the language of the conditions of its water quality certification requiring minimum flows and water levels at the North Gorham Project, on the Presumpscot River, in the Towns of Gorham, Standish and Windham, Maine.

2. PRIOR APPROVAL

The continued operation of the existing North Gorham Project was approved by Department Order #L-17475-33-A-N issued September 28, 1992. In its approval, the Department found that maintenance of minimum flows and water levels at the North Gorham Project were needed to meet minimum state water quality standards.

Based on these findings, the Department attached Conditions 1 & 2 to its approval which required the applicant to maintain minimum flows and water levels. Conditions 1 & 2 of the Order read as follows:

"1. MINIMUM FLOWS

A. Except as temporarily modified by operating emergencies beyond the applicant's control, as defined below, an instantaneous minimum flow release of 222 cubic feet per second (cfs) or inflow, whichever is less, shall be maintained from the project at all times.

B. Operating emergencies beyond the applicant's control include, but may not be limited to, equipment failure or other temporary abnormal operating condition, generating unit operation or interruption under power supply emergencies, and orders from local, state, or federal law enforcement or public safety authorities.

C. The applicant shall, in accordance with the schedule established in a new FERC license for the project, submit plans for providing and monitoring the minimum flow required in Part A of this condition. These plans shall be reviewed by and must receive approval of the DEP Bureau of Land Quality Control.

2. WATER LEVELS

A. Except as temporarily modified by approved maintenance activities or by inflows to the project area or by operating emergencies beyond the applicant's control, as defined below, water levels in the North Gorham impoundment shall be maintained within one foot of normal surface elevation of 221.8 feet USGS datum (crest of spillway).

B. Operating emergencies beyond the applicant's control include, but may not be limited to, equipment failure or other temporary abnormal operating condition, generating unit operation or interruption under power supply emergencies, and orders from local, state, or federal law enforcement or public safety authorities.

C. The applicant shall, in accordance with the schedule established in a new FERC license for the project, submit plans for providing and monitoring the water levels in the North Gorham impoundment as required in Part A of this condition. These plans shall be reviewed by and must receive approval of the DEP Bureau of Land Quality Control."

3. PROPOSED MODIFICATION

The applicant comments that the existing water quality certification conditions do not allow any temporary modification to the minimum flow and water level conditions as a result of operating emergencies beyond the applicant's control. Further, the applicant comments that the language in these conditions is inconsistent with minimum flow and water level conditions the Department has approved at other CMP projects. The applicant therefore proposes to modify Conditions 1(A), 2(A), and 2(B) of the Department's Order approving water quality certification for the North Gorham Project by adding the following language (underlined) to Conditions 1(A), 2(A), and 2(B):

1(A) Except as temporarily modified <u>by approved maintenance activities, or</u> by operating emergencies beyond the applicant's control, as defined below, <u>or upon mutual agreement between the applicant and the Department</u>, an instantaneous minimum flow release of 222 cubic feet per second...

2(A) Except as temporarily modified by approved maintenance activities, or by inflows into the project area, or by operating emergencies beyond the applicant's control, as defined below, <u>or upon mutual agreement between the applicant and the Department,</u> water levels in the North Gorham impoundment...

2(B) Operating emergencies beyond the applicant's control include, but may not be limited to, equipment <u>or flashboard</u> or other temporary abnormal condition...

CENTRAL MAINE POWER COMPANY 3 WATER QUALITY CERTIFICATION
GORHAM, CUMBERLAND COUNTY, MAINE)
NORTH GORHAM PROJECT)
L-17475-33-D-M (APPROVAL)) MODIFICATION

4. DISCUSSION

The changes in language proposed by the applicant are consistent with language used by the Department in other water quality certifications. These changes will allow for the temporary modification of minimum flow and water level conditions as a result of situations beyond the applicant's control, approved maintenance activities, and by mutual agreement between the applicant and the Department.

THEREFORE, the Department MODIFIES Conditions 1(A), 2(A) and 2(B) of Order #L-17475-33-A-N, dated September 28, 1992, to read as follows:

1. MINIMUM FLOWS

A. Except as temporarily modified by approved maintenance activities, or by operating emergencies beyond the applicant's control, as defined below, or upon mutual agreement between the applicant and the Department, an instantaneous minimum flow release of 222 cubic feet per second (cfs) or inflow, whichever is less, shall be maintained from the project at all times.

2. WATER LEVELS

A. Except as temporarily modified by approved maintenance activities, or by inflows to the project area, or by operating emergencies beyond the applicant's control, as defined below, or upon mutual agreement between the applicant and the Department, water levels in the North Gorham impoundment shall be maintained within one foot of normal surface elevation of 221.8 feet USGS datum (crest of the spillway).

B. Operating emergencies beyond the applicant's control include, but may not be limited to, equipment failure or flashboard failure or other temporary abnormal operating condition, generating unit operation or interruption under power supply emergencies, and orders from local, state, or federal law enforcement or public safety authorities.

DONE AND DATED AT AUGUSTA, MAINE, THIS 26th DAY OF FEBRUARY, 1996.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: [signature]
for Edward O. Sullivan, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application 2/12/96.
Date application accepted for processing 2/14/96.

Date filed with Board of Environmental Protection

FILED
FEB 26 1996
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

Attachment III

CONTINUING SITE/INTERCONNECTION AGREEMENT
BY AND BETWEEN
CENTRAL MAINE POWER COMPANY
AND
FPL ENERGY MAINE, INC.

January 6, 1998

Incorporating Terms and Conditions of
First and Second Amendments to the
Continuing Site/Interconnection Agreement

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28.0 Entire Agreement.

This Agreement and the Separation Document constitute the entire understanding between the Parties, and supersede any and all previous understandings, oral or written, which pertain to the subject matter contained herein or therein. If there is any conflict in said documents, the Separation Document shall control over this Agreement.

ARTICLE 29.0
Miscellaneous

29.1 Assignment of Certain Assets.

Notwithstanding any other provision of this Agreement (including all schedules, appendixes and attachments), commencing on December 23, 2003, this Agreement shall in no way apply to the Hydroelectric Assets listed on Schedule 1.1(a)(33) of the APA as Oakland, Rice Rips, Union Gas, Lower Kezar Falls, Upper Kezar Falls and Ledgemere.

IN WITNESS WHEREOF the Parties have executed and delivered this Agreement as of the date and year first above written.

CENTRAL MAINE POWER COMPANY

By: _____
Its Director, Transmission Services

FPL Energy Maine, INC.

By: _____
Its Vice President

STATE OF MAINE
KENNEBEC, SS.

January 6, 1998

Then personally appeared the above-named F. Allen Willey of the above-named corporation, and acknowledged this instrument to be his/her free act and deed in said capacity, and the free act and deed of said corporation.

Before me,

Elaine M. Barlow
Notary Public/~~Maine Attorney~~
Print Name:

ELAINE M. BARLOW
Notary Public, State of Maine
My Commission Expires November 21, 2009

STATE OF MAINE
KENNEBEC, SS.

January 6, 1998

Then personally appeared the above-named Harry L. Smith of the above-named corporation, and acknowledged this instrument to be his/her free act and deed in said capacity, and the free act and deed of said corporation.

Before me,

Kerri L. Foster
Notary Public/Maine Attorney
Print Name:

Kerri L. Foster
Notary Public
State of Maine
My Commission Expires
May 26, 2011

SCHEDULES
Description

A	Interconnection Facilities and Associated Equipment Description
A1	Interconnection Facilities and Associated Equipment Description: Cape Station #614
B	Interconnection Requirements for Generation
C	Substation Operations & Maintenance Services
D	Revenue Metering
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M	Insurance Requirements
N	Separation Principles

Schedule A
Interconnection Facilities and Associated Equipment Description

I. Customer: (Buyer)

Unit Location:

North Gorham Hydro, CMP System Diagram #309

Net Capacity:

2 units 1.6 MW Summer 1.9 MW Winter

Point of Interconnection:

Interconnection of Buyer's 34.5KV gang operated disconnect switch (T1H) to CMP's 34.5KV Bus located in the switchyard

Point(s) of Receipt:

CMP Non-PTF 34.5KV Bus at North Gorham

II. Interconnection Facilities and Associated Equipment:

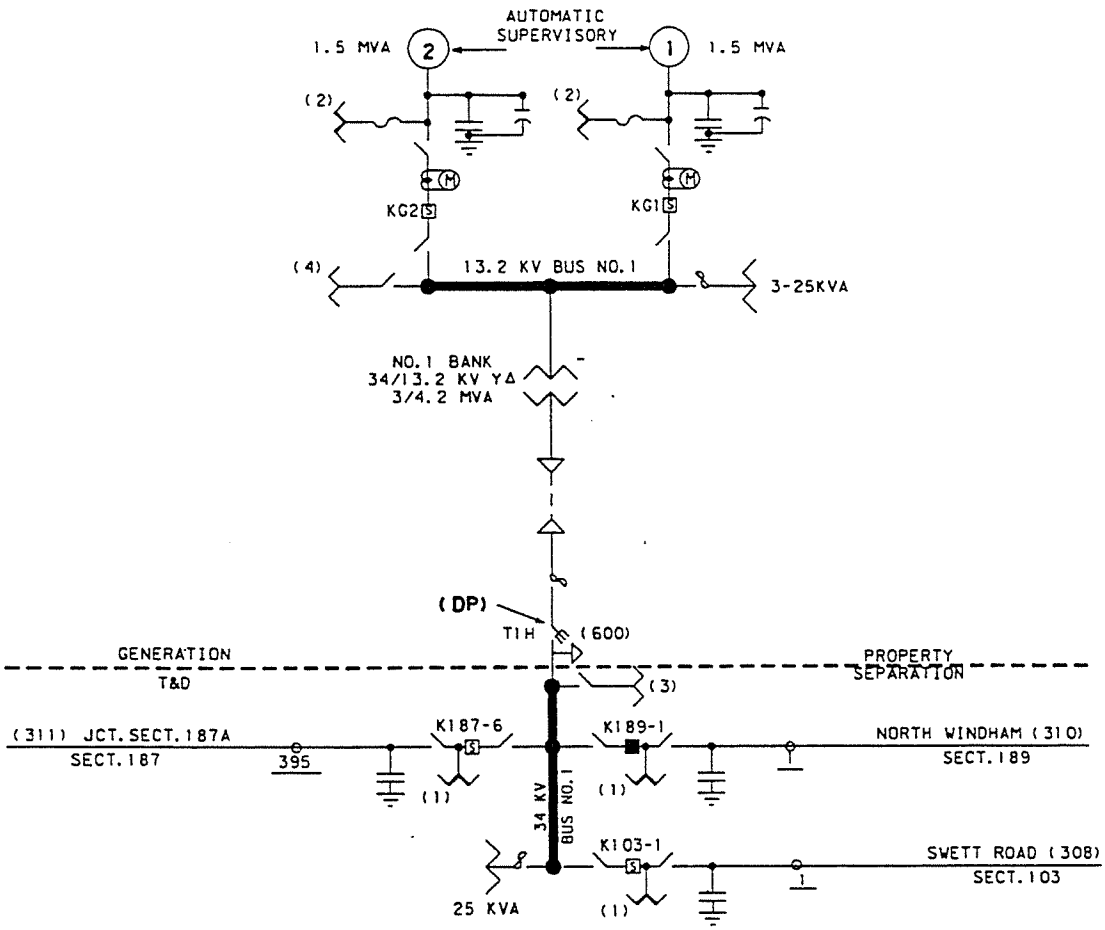
No interconnection facilities are currently identified between ownership point of demarcation and CMP local network service and CMP PTF.

III. Additional Facilities and/or Associated Equipment:

None

IV. Special Conditions

1. In the event CMP adds equipment to this location in the future in accordance with good utility practice, and such investment is not deemed PTF, it may be directly assignable to the Customer.



3300 APPLICATION	POWER ONE LINE REFERENCE 372-85			
PROJ.MGR.	NORTH GORHAM Relay House			
SUPV.APPR.				
☐ NEW ☐ EXPAND/UPGRADE ☐ TEMP.	INT. PHONE 892-4692	EXT. PHONE 756-2979		
CONST.START / / FINISH / /	S/S NO. 637	APP. 03/14/03	STATUS	309 S
WRITE ON FORM/ATTACH REASON FOR PROJECT				

GIS GENERATORS

Print Date: 9/24/2008 9:28:09 AM

Unit ID	CT Class I	CT Class II	CT Class III	CT CEO	MA RPS New Renewable Gen	MA Renewable Resource	Eligible MA NOx Allowances	ME Ren/Eff Energy Source	ME Class I	ME Class II	ME CO2 Netting	RI New Renewable Resource	RI Existing Renewable Resource	NH Class I	NH Class II	NH Class III	NH Class IV	Green-E	Plant Name	Unit Name	Location	Fuel Type
NON32120	No	No	No	No	Yes	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	Chicopee	1	New England (ISO New England Control Area)	Landfill gas
NON32121	No	No	No	No	Yes	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	Chicopee	2	New England (ISO New England Control Area)	Landfill gas
NON32122	No	No	No	No	Yes	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	Chicopee	3	New England (ISO New England Control Area)	Landfill gas
NON32508	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	UTC Power	9143	New England (ISO New England Control Area)	Fuel cell
NON32506	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	The Mohegan Tribe	9255	New England (ISO New England Control Area)	Fuel cell
NON32507	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	The Mohegan Tribe	9264	New England (ISO New England Control Area)	Fuel cell
MSS463	Yes	Yes	No	No	No	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	LVER-AEI	AEI LIVERMORE	New England (ISO New England Control Area)	Wood
MSS594	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	THAMES	AES THAMES	New England (ISO New England Control Area)	Coal
MSS326	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	ALTRESCO	ALTRESCO	New England (ISO New England Control Area)	Natural Gas

																					Control Area)	
MSS772	Yes	No	No	Yes	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	UNDER5MW	NEWPORT HYDRO	New England (ISO New England Control Area)	Hydroelectric/Hydro
MSS922	No	No	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	UNDER5MW	NOONE FALLS	New England (ISO New England Control Area)	Hydroelectric/Hydro
MSS760	No	Yes	No	Yes	No	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	LOUDEN	NORTH GORHAM	New England (ISO New England Control Area)	Hydroelectric/Hydro
MSS11126	No	No	No	Yes	No	No	No	No	No	No	No	No	Yes	No	No	No	No	No	UNDER5MW	NORTH HARTLAND HYDRO	New England (ISO New England Control Area)	Hydroelectric/Hydro
MSS11126	No	No	No	Yes	No	No	No	No	No	No	No	Yes	No	No	No	No	No	No	UNDER5MW	NORTH HARTLAND HYDRO	New England (ISO New England Control Area)	Hydroelectric/Hydro
MSS519	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	NORWALKH	NORWALK HARBOR 1	New England (ISO New England Control Area)	Oil
MSS521	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	NORWALKH	NORWALK HARBOR 10 (3)	New England (ISO New England Control Area)	Jet
MSS520	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	NORWALKH	NORWALK HARBOR 2	New England (ISO New England Control Area)	Oil
MSS2288	No	Yes	No	Yes	No	Yes	No	No	No	Yes	No	No	No	No	No	No	No	No	UNDER5MW	NORWAY HYDRO	New England (ISO New England Control Area)	Hydroelectric/Hydro
MSS515	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	BEAN_HIL	NORWICH JET	New England (ISO New England Control Area)	Jet
																					New England (ISO New	

Attachment V

SUBSCRIPTION

This Application for Renewable Energy Source Eligibility under the State of New Hampshire Public Utilities Commission for the North Gorham Project, FERC No. 2519 is executed in the State of Maine, County of Kennebec, by F. Allen Wiley, Vice President, FPL Energy Maine Hydro LLC, 160 Capitol Street, Augusta, Maine, 04330, who, being duly sworn, deposes and says that the contents of this application are true to the best of his knowledge or belief and that he is authorized to execute this application on behalf of FPL Energy Maine Hydro LLC. The undersigned has signed this application this 24 day of September, 2008.

FPL ENERGY MAINE HYDRO LLC

By _____
F. Allen Wiley
Vice President
FPL Energy Maine Hydro LLC

Subscribed and sworn to before me, a Notary Public of the State of Maine this 24th day of September, 2008.

_____
(Notary Public)

RONDA LEE WILLIAMS
Notary Public, Maine
My Commission Expires April 28, 2009

(My Commission Expires _____)/seal