



EDEL GREEN POWER NORTH AMERICA, INC.

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DE12-196

July 5, 2012

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



Dear Ms. Howland,

Included with this letter are the applications forms and supporting documents to seek certification as a New Hampshire Class IV source for the following Enel Green Power North America organizations and hydro facilities:

Consolidated Hydro New Hampshire, Inc. (Kelley's Falls Hydro)
Sweetwater Hydroelectric, Inc. (Lower Valley Hydro)
Sweetwater Hydroelectric, Inc. (Sweetwater Hydro)
Woodsville Hydroelectric, Inc. (Woodsville Hydro)

Please let me know if you require any additional information. Thank you.

Best Regards,

A handwritten signature in blue ink, appearing to read "Marc Poirier".

Marc Poirier
General Manager East Region
Enel Green Power North America, Inc.
Tel: (978) 296-6817
Cell: (978) 806-7757
Email: marc.poirier@enel.com



State of New Hampshire
Public Utilities Commission

21 S. Fruit Street, Suite 10, Concord, NH 03301-2429



APPLICATION FORM FOR
RENEWABLE ENERGY SOURCE ELIGIBILITY FOR CLASS IV

HYDRO SOURCES WITH A TOTAL NAMEPLATE CAPACITY OF ONE MEGAWATT OR LESS

*Pursuant to New Hampshire Administrative Code Puc 2500 Rules, Puc 2505.02 Application Requirements
Laws of 2012, Chapter 0272*

- Please submit one (1) original and two (2) paper copies of the completed application and cover letter to:

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

- Send an electronic version of the completed application and the cover letter electronically to executive.director@puc.nh.gov.

The cover letter must include complete contact information and clearly state that the applicant is seeking certification as a Class IV source. Pursuant to Chapter 362-F:11 I, the Commission is required to render a decision on an application within 45 days upon receiving a completed application.

If you have any questions please contact Barbara Bernstein at (603)271-6011 or Barbara.Bernstein@puc.nh.gov.

Please provide the following:

1. Applicant Name: Sweetwater Hydroelectric, Inc.

Mailing Address: c/o Enel Green Power North America, One Tech Drive, Suite 200

State: MA Zip Code: 01810

Primary Contact: Marc Poirier

Telephone: 978-296-6817 Cell: 978-806-7757

Email address: Marc.Poirier@enel.com

2. Facility Name: Sweetwater Hydroelectric

(physical address) Plains Road

Town/City: Claremont State: NH Zip Code: 03743

If the facility does not have a physical address, the Latitude _____ & Longitude _____

(To qualify the electrical production for RECs, the facility must be registered with the NEPOOL – GIS).
Contact information for the GIS administrator follows:

James Webb, Registry Administrator, APX Environmental Markets
224 Airport Parkway, Suite 600, San Jose, CA 95110
Office: 408.517.2174, jwebb@apx.com

3. The facility's ISO-New England asset identification number, if available. 10409
4. The facility's GIS facility code, if available. 10409
5. A description of the facility including the following:
 - 5.a. The gross nameplate capacity 0.9 MW
 - 5.b. The facility's initial commercial operation date 05/28/1990
 - 5.c. The date the facility began operation, if different than the operation date _____
 - 5.d. A complete description of the facility including related equipment

Sweetwater Hyrdro is a 0.9 MW hydroelectric generating facility located on the Sugar River in Claremont, NH, interconnected with the electric system of Central Vermont Public Service (CVPS).

6. A copy of all necessary state and federal (FERC) regulatory approvals as **Attachment A**.

FERC License and State Section 401 Water Quality Certificate are included

7. A copy of the title page of the Interconnection Agreement between the applicant and the distribution utility, the page(s) that identifies the nameplate capacity of the facility and the signature pages. *Please provide this information as **Attachment B**.*

The Interconnection Agreement does not identify the nameplate capacity. Therefore, in addition to the requested pages from the Interconnection Agreement, we have included pages from the Power Purchase Agreement that identifies the nameplate capacity.

8. A description of how the generation facility is connected to the distribution utility.

The output of the facility is delivered to a 46 kv transmission line owned and operated by CVPS. Please see the one-line diagram included with this application as **Attachment D**.

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

N/A

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

The facility actively receives settlement statements from ISO-NE.

11. An affidavit by the applicant attesting that the contents of the application are accurate. Use either the Affidavit at the bottom of this page, or provide a separate document as **Attachment C**.

12. The name and telephone number of the facility's operator, **if different from the owner**.

Facility Operator Name: William Cardillo, Facility Supervisor

Phone: 978-273-5120

13. Other pertinent information that you wish to include to assist in classification of the facility provide as **Attachment D**.

CHECK LIST: The following has been included to complete the application:	YES
• All contact information requested in the application.	
• A copy of all necessary state and federal (FERC) regulatory approvals as Attachment A .	
• A copy of the title page of the Interconnection Agreement between the applicant and the distribution utility, the page(s) that identifies the nameplate capacity of the facility and the signature pages as Attachment B .	
• A signed and notarized attestation or Attachment C .	
• A GIS number has been provided or has been requested.	
• Other pertinent information has been provided (if necessary) as Attachment D .	
• This document has been printed and notarized.	
• The original and two copies are included in the packet mailed to Debra Howland, Executive Director of the PUC.	
• An electronic version of the completed application has been sent to <u>executive.director@puc.nh.gov</u> .	

AFFIDAVIT

The Undersigned applicant declares under penalty of perjury that contents of this application are accurate.

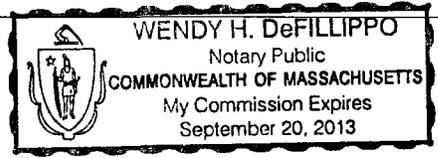
Applicant's Signature [Signature] Date 07/05/2012

Subscribed and sworn before me this 5 Day of July (month) in the year 2012

County of Essex State of Massachusetts

[Signature]
Notary Public/Justice of the Peace

My Commission Expires _____



ATTACHMENT A



ROBERT W. VARNEY
COMMISSIONER

RUSSELL A. NYLANDER, P.E.
CHIEF ENGINEER

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER SUPPLY & POLLUTION CONTROL DIVISION

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
603-271-3504

TTY/TDD 1-800-992-3312 or 225-4033
Relay Service for Deaf/Speech Impaired

August 29, 1990

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RECEIVED SEP 4 1990

Matthew Bonaccorsi
Sweetwater Hydroelectric, Inc.
Methodist Hill Road
Lebanon, NH 03766

Re: Section 401 Water Quality Certificate for repairs and rehabilitation of the turbines at the Sweetwater Hydroelectric Project on the Sugar River in Claremont, NH.

Applicant: Sweetwater Hydroelectric, Inc.

Dear Mr. Bonaccorsi:

The division has determined that the Sweetwater Hydroelectric Project complies with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act as amended. Additionally, the project will receive State permits in accordance with RSA 485-A:17, RSA 482:A and other applicable State Statutes.

Finally, all existing river uses must be maintained and protected, and at no time shall the Class C water quality standards be violated.

Sincerely yours,

Richard A. Flanders

Richard A. Flanders, Supervisor
Water Quality Section

RAF/RJB/tmk

cc: Mr. Delbert Downing - NHWB

Tim Drew - Comm.

Scott Herke - Dept. of the Army
N.E. Division, Corps of Engineers
424 Trapelo Road
Waltham, MA 02254

Lois Cashill
HL 21.1 FERC
825 Capital St., NE
Washington D.C. 20426

70180

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSIONSweetwater Hydroelectric, Inc. Project No. 10898-000
New HampshireORDER ISSUING LICENSE
(Minor Project)

March 28, 1991

Sweetwater Hydroelectric, Inc. (Sweetwater) filed a license application under Part I of the Federal Power Act (Act) to rehabilitate, operate, and maintain the Sweetwater Project, located on the Sugar River, in Sullivan County, New Hampshire. Sweetwater proposes to refurbish the inoperative north powerhouse and to continue operating the existing south powerhouse. The project would affect the interests of interstate commerce.

Notice of the application has been published. No protests or motions to intervene were filed in this proceeding, and no agency objected to issuance of this license. Comments received from interested agencies and individuals have been fully considered in determining whether to issue this license.

Comprehensive Development

Sections 4(e) and 10(a) of the Act require the Commission to consider all uses of the waterway on which a project is located. When the Commission reviews a proposed project, the environment, recreational, fish and wildlife, and other nondevelopmental values of the waterway are considered equally with power and other developmental values. In addition, while determining whether, and under what conditions, a hydropower license should be issued, the Commission must weigh the various economic and environmental tradeoffs involved in the decision.

We identified no reasonable action alternative to licensing the Sweetwater Project for assessment. Based on our independent review and evaluation of the proposed project and the no-action alternative documented in the environmental assessment (EA) and the Safety and Design Assessment (S&DA), we selected the proposed project as the preferred option. We selected this option because: (1) with mitigation, the environmental effects of project renovation and operation would be beneficial; and (2) the 4,200 megawatthours (MWh) of electricity that would be generated from a renewable resource would be beneficial because it would reduce the use of fossil-fueled, electric generating plants, thereby conserving nonrenewable primary energy resources and reducing atmospheric pollution. In making this decision, we considered the relative importance of the environmental resources at the project and in the Sugar River, mitigative measures needed to protect these environmental resources, benefits of the project

versus the no-action alternative, and consistency of the proposed project with applicable comprehensive plans.

We evaluated the effects of renovating and operating the proposed project on the environmental resources of the project area and the Sugar River, and have required in this license mitigative measures needed to protect and enhance these environmental resources. These measures were developed after careful consideration of the results of site-specific studies conducted by the applicant, research on the environmental effects of hydropower development, and agency comments and recommendations on the proposed project.

The mitigative and enhancement measures that are being required to protect the environmental resources include:

- (1) run-of-river project operation to minimize upstream and downstream water-level fluctuations, to reduce erosion, and to protect aesthetic resource values;
- (2) minimum flows to the bypassed reach to enhance potential walleye spawning habitat, and to maintain water quality and aquatic resources in the bypassed reach;
- (3) measures to monitor flows at the discharge points at the dam that would be provided to protect fisheries habitat and water quality in the bypassed reach, including the installation of a new gage; and
- (4) provisions for upstream and downstream fish passage and protection facilities should they be needed in the future.

Sweetwater has agreed to all of the proposed mitigative and enhancement measures and included the costs associated with these measures in its cost estimates. Sweetwater proposes no major new construction, only to rehabilitate the north powerhouse and the north intake structure, and to install automatic controls in both powerhouses. The total rehabilitation cost is estimated to be \$600,000. The loss of about 300,000 kWh of energy, due to minimum flow releases, has been incorporated into our analysis. We believe the benefits to water quality and aquatic habitat, as well as the enhancement of walleye spawning habitat, from the release of the minimum flows to the bypassed reach justify the energy loss. The effect on energy generation of the 100-cfs flow release for walleye spawning during April and May is insignificant because, during those months, the stream flows substantially exceed the hydraulic capacity of the project.

The project would produce 4,200 MWh of energy, which would be sold to the Central Vermont Public Service Corporation based on a long-term power sales contract signed in June, 1990. The value of the power in the first year is 70 mills/kilowatthour

(kWh), and would escalate at about 4 percent annually. Our economic analysis shows that rehabilitation of the inactive powerhouse would be economically beneficial because the projected levelized power value of 102.77 mills/kWh is higher than the projected levelized annual cost of 64.07 mills/kWh. As a result, the expected net annual economic benefit from the rehabilitated powerhouse would be 38.7 mills/kWh. The net dollar value of the generated power would be \$96,756 annually.

Section 10(a)(2) of the Act requires the Commission to consider the extent to which a project is consistent with federal or state comprehensive plans for improving, developing, or conserving a waterway or waterways affected by the project. Under section 10(a)(2), federal and state agencies filed 9 comprehensive plans that address various resources in New Hampshire. Of these, we identified and reviewed 6 plans relevant to this project. 1/ No conflicts were found.

Based on our review of the agency and public comments filed in this proceeding and on our independent analysis and assessment of the proposed project pursuant to sections 4(e), 10(a)(1), and 10(a)(2) of the Act, we conclude that the proposed Sweetwater Project would permit the best comprehensive development of the Sugar River.

Recommendations of Federal and State fish and Wildlife Agencies

Section 10(j) of the Act requires the Commission to include license conditions, based on recommendations of Federal and state fish and wildlife agencies, for the protection, mitigation of adverse impacts to, and enhancement of fish and wildlife. The attached EA addresses the concerns of Federal and state fish and wildlife agencies, and the license includes conditions consistent with recommendations of the agencies.

1/ Wild, scenic, & recreational rivers for New Hampshire, 1977, New Hampshire Office of State Planning; A strategic plan for restoration of Atlantic salmon to the Connecticut River Basin, 1982, Policy Committee for Fisheries Management of the Connecticut River; New Hampshire rivers management protection program, 1990, State of New Hampshire; Connecticut river basin fish passage, flow, and habitat alteration considerations in relation to anadromous fish restoration, 1981, Technical Committee for Fisheries Management of the Connecticut River; New Hampshire outdoors 1988-1993, 1989, New Hampshire Office of State Planning; The nationwide rivers inventory, 1982, National Park Service.

Section 18 of the Federal Power Act

Interior requests that Section 18 reservation of authority be placed in any license issued for the Sweetwater Project (letter dated July 9, 1990). Section 18 of the Federal Power Act provides the Secretary of Interior the authority to prescribe fishways. 2/ Although fish passage facilities may not be recommended by Interior at the time of project licensing, as is the case for the Sweetwater Project, the Commission's practice has been to include a license article which reserves Interior's prescription authority. 3/ We recognize that future fish passage needs and management objectives cannot always be predicted at the time of license issuance. Article 404 reserves the authority of Interior to prescribe fish passage facilities pursuant to section 18 of the Federal Power Act, if and when they are needed in the future, and reserves the Commission's authority to require the licensee to construct, operate, and maintain the prescribed facilities.

Summary of Findings

We issued an EA for this project. The EA, attached to this order, includes background information, analysis of impacts, support for related license articles, and the basis for a finding of no significant impact on the environment. The license conditions are consistent with the water quality certificate. Issuance of this license is not a major federal action significantly affecting the quality of the human environment.

The project design is consistent with the engineering standards governing dam safety. The project will be safe if operated and maintained in accordance with the requirements of this license. Analysis of related issues is provided in the S&DA attached to this order.

The Director, Office of Hydropower Licensing, concludes that the project would not conflict with any planned or authorized development, and would be best adapted to comprehensive development of the waterway for beneficial public uses.

2/ Section 18 of the Federal Power Act provides: "The Commission shall require construction, maintenance, and operation by a licensee at its own expense ... such fishways as may be prescribed by the Secretary of Commerce or the Secretary of Interior as appropriate."

3/ Lynchburg Hydro Associates, 39 FERC ¶ 61,079 (1987).

The Director orders:

(A) This license is issued to Sweetwater Hydroelectric, Inc. (licensee), for a period of 40 years, effective the first day of the month in which this order is issued, to operate and maintain the Sweetwater Project. This license is subject to the terms and conditions of the Act, which is incorporated by reference as part of this license, and subject to the regulations the Commission issues under the provisions of the Act.

(B) The project consists of:

(1) All lands, to the extent of the licensee's interests in those lands, enclosed by the project boundary shown by exhibit G:

<u>Exhibit G-</u>	<u>FERC No. 10898-</u>	<u>Showing</u>
G-1	4	Project Map

(2) Project works consisting of: (a) a 314-foot-long, 36-foot-high concrete gravity dam consisting of a 143-foot-long, 28-foot-high spillway section equipped with 3-foot-high wooden flashboards, an 18-foot-wide intake structure and a retaining wall on the south side of the dam, and a 14-foot-wide intake structure and a retaining wall on the north side of the dam; (b) a reservoir with a surface area of about 30 acres and 150 acre-feet of gross storage capacity at a normal water surface elevation of 353.4 feet msl; (c) an 8-foot-diameter, 100-foot-long steel penstock on the south bank and an 8-foot-diameter, 170-foot-long steel penstock on the north bank; (d) the south powerhouse containing two turbine generators, each rated at 225 kW, with a total installed capacity of 450 kW; (e) the north powerhouse containing two turbine generators, one rated at 350 kW, and the other rated at 100 kW, with a total inoperable capacity of 450 kW; (f) two tailraces; (g) a 160-foot-long, 480-Volt transmission line connecting the south bank powerhouse to the primary transmission line; (h) a 300-foot-long 480-Volt transmission line connecting the north bank powerhouse to the primary transmission line, which includes; (i) a 160-foot run of 3-phase, 480-volt, overhead primary line and a 3-mile (approximate) run of 3-phase, 46,000-volt, overhead line; and (j) appurtenant electrical equipment.

The appurtenant electrical equipment includes: (1) one 3-phase, 2,500-kVA, 480-Volts to 46,000 Volts, generator step-up transformer bank, consisting of three single phase transformers; (2) all installed 480-Volt switchgear; (3) all installed 46,000-Volt switchgear; (4) all necessary control and operating equipment, such as synchronizing equipment, voltage control apparatus, etc.; (5) all electrical protective equipment; and (6) all installed instrumentation.

The project works generally described above are more specifically shown and described by those portions of exhibits A and F recommended for approval in the attached Safety and Design Assessment.

(3) All of the structures, fixtures, equipment or facilities used to operate or maintain the project, all portable property that may be employed in connection with the project, and all riparian or other rights that are necessary or appropriate in the operation or maintenance of the project.

(C) The exhibit G described above and those sections of exhibits A and F recommended for approval in the attached Safety and Design Assessment are approved and made part of the license.

(D) The following sections of the Act are waived and excluded from the license for this minor project:

4(b), except the second sentence; 4(e), insofar as it relates to approval of plans by the Chief of Engineers and the Secretary of the Army; 6, insofar as it relates to public notice and to the acceptance and expression in the license of terms and conditions of the Act that are waived here; 10(c), insofar as it relates to depreciation reserves; 10(d); 10(f); 14, except insofar as the power of condemnation is reserved; 15; 16; 19; 20; and 22.

(E) This license is subject to the articles set forth in Form L-11, (October 1975), entitled "Terms and Conditions of License for Unconstructed Minor Project Affecting the Interests of Interstate or Foreign Commerce", and the following additional articles:

Article 201. The licensee shall pay the United States the following annual charge, effective March 1, 1991:

For the purpose of reimbursing the United States for the cost of administration of Part I of the Act, a reasonable amount as determined in accordance with the provisions of the Commission's regulations in effect from time to time. The authorized installed capacity for that purpose is 1,200 horsepower.

Article 301. The licensee shall commence construction of project works within 2 years from the issuance date of the license and shall complete construction of the project within 4 years from the issuance date of the license.

Article 302. The licensee shall, at least 60 days prior to start of construction, submit one copy to the Commission's Regional Director and two copies to the Director, Division of

Dam Safety and Inspections, of the final contract drawings and specifications for pertinent features of the project, such as water retention structures, powerhouse, and water conveyance structures. The Director, Division of Dam Safety and Inspections, may require changes in the plans and specifications to ensure a safe and adequate project.

Article 303. The licensee shall review and approve the design of contractor-designed cofferdams and deep excavations before the start of construction, and shall ensure that construction of the cofferdams and deep excavations is consistent with the approved design. At least 30 days before the start of construction of the cofferdam, the licensee shall submit to the Commission's Regional Director, and the Director, Division of Dam Safety and Inspections, one copy each of the approved cofferdam construction drawings and specifications and letter(s) of approval.

Article 304. The licensee shall, within 90 days of completion of construction, file for approval by the Commission, revised exhibits A, F, and G, to describe and show the project as-built, including all facilities determined, by the Commission, to be necessary and convenient for transmission of all of the project power to the interconnected transmission system.

Article 401. The licensee shall operate the Sweetwater Project in an instantaneous run-of-river mode for the protection of fish and wildlife resources in the Sugar River. The licensee, in operating the project in an instantaneous run-of-river mode, shall at all times minimize fluctuations of the reservoir surface elevation by maintaining sufficient discharge from the project so that the flow in the Sugar River, as measured immediately downstream from the tailrace of the farthest downstream powerhouse, approximates the instantaneous sum of inflows to the project reservoir. The instantaneous run-of-river mode of operation may be temporarily modified if required by operating emergencies beyond the control of the licensee and for short periods upon mutual agreement between the licensee and the New Hampshire Fish and Game Department.

Article 402. The licensee shall provide at the dam a continuous minimum flow release of 100 cubic feet per second (cfs) to the bypassed reach of the Sugar River during April and May to protect and enhance walleye spawning habitat and a continuous minimum flow of 10 cfs for the remainder of the year to prevent water stagnation, or inflow to the Sweetwater Project reservoir, whichever is less. These flows may be temporarily modified if required by operating emergencies beyond the control of the licensee and for short periods upon mutual agreement between the licensee and the New Hampshire Fish and Game Department.

Article 403. The streamflow gaging plan, filed with the Commission on November 16, 1990, is approved and made a part of this license. The licensee shall install the streamflow monitoring equipment upstream and downstream of the project in the Sugar River to monitor compliance with the instantaneous run-of-river mode of operation and the flow needed in the bypassed reach, as stipulated by articles 401 and 402, respectively, within 6 months from the date of issuance of this license. Flow data shall be provided to the U.S. Geological Survey, the U.S. Fish and Wildlife Service, and the New Hampshire Fish and Game Department within 30 days from the date of the agency's request for the data.

Article 404. Authority is reserved to the Commission to require the licensee to construct, operate, and maintain, or to provide for the construction, operation, and maintenance of such fishways, as may be prescribed by the Secretary of the Interior pursuant to Section 18 of the Federal Power Act.

Article 405. The licensee, before starting any land-clearing or land-disturbing activities within the project area, shall consult with the State Historic Preservation Officer (SHPO).

If the licensee discovers previously unidentified archeological or historic properties during the course of project operation, the licensee shall make every reasonable effort to stabilize the archeological or historic properties and shall immediately consult with the SHPO.

In either instance, the licensee shall file for Commission approval, and upon approval, implement a cultural resource management plan prepared by a qualified cultural resource specialist after having consulted with the SHPO. The management plan shall include the following items: (1) a description of each discovered property indicating whether it is listed on or eligible to be listed on the National Register of Historic Places; (2) a description of the potential effect on each discovered property; (3) proposed measures for avoiding or mitigating effects; (4) documentation of the nature and extent of consultation; and (5) a schedule for mitigating effects and conducting additional studies. The Commission may require changes to the plan.

The licensee shall not begin land-clearing or land-disturbing activities until informed that the requirements of this article have been fulfilled.

Article 406. (a) In accordance with the provisions of this article, the licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands

and waters for certain types of use and occupancy, without prior Commission approval. The licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the licensee shall also have continuing responsibility to supervise and control the use and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, cancelling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.

(b) The type of use and occupancy of project lands and water for which the licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 watercraft at a time and where said facility is intended to serve single-family type dwellings; and (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the use and occupancies for which it grants permission are maintained in good repair and comply with applicable state and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the licensee's costs of administering the permit program. The Commission reserves the right to require the licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

(c) The licensee may convey easements or rights-of-way across, or leases of, project lands for: (1) replacement, expansion, realignment, or maintenance of bridges and roads for which all necessary state and federal approvals have been obtained; (2) storm drains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69-kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed.

(d) The licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary state and federal approvals have been obtained; (2) sewer or effluent lines that discharge into project waters, for which all necessary federal and state water quality certification or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary federal and state approvals have been obtained; (5) private or public marinas that can accommodate no more than 10 watercraft at a time and are located at least one-half mile from any other private or public marina; (6) recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from the edge of the project reservoir at normal maximum surface elevation; and (iii) no more than 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year. At least 45 days before conveying any interest in project lands under this paragraph (d), the licensee must submit a letter to the Director, Office of Hydropower Licensing, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked exhibit G or K map may be used), the nature of the proposed use, the identity of any federal or state agency official consulted, and any federal or state approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the licensee to

file an application for prior approval, the licensee may convey the intended interest at the end of that period.

(e) The following additional conditions apply to any intended conveyance under paragraph (c) or (d) of this article:

(1) Before conveying the interest, the licensee shall consult with federal and state fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.

(2) Before conveying the interest, the licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved exhibit R or approved report on recreational resources of an exhibit E; or, if the project does not have an approved exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.

(3) The instrument of conveyance must include covenants running with the land adequate to ensure that: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; and (ii) the grantee shall take all reasonable precautions to insure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project.

(4) The Commission reserves the right to require the licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.

(f) The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised exhibit G or K drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised exhibit G or K drawings would be filed for approval for other purposes.

(g) The authority granted to the licensee under this article shall not apply to any part of the public lands and reservations of the United States included within the project boundary.

(F) The licensee shall serve copies of any Commission filing required by this order on any entity specified in this order to be consulted on matters related to that filing. Proof of service on these entities must accompany the filing with the Commission.

(G) This order is issued under authority delegated to the Director and constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. section 385.713. Filing a rehearing does not stay the effective date of this order or any date specified in this order. The licensee's failure to file a rehearing shall constitute acceptance of the license.


Fred E. Springer
Director, Office of
Hydropower Licensing

ATTACHMENT B



Central Vermont Public Service Corporation

December 29, 1993

RECEIVED DEC 30 1993

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

RE: CENTRAL VERMONT PUBLIC SERVICE CORPORATION AND CONNECTICUT VALLEY ELECTRIC COMPANY, INC.
INTERCONNECTION AGREEMENTS

Dear Ms. Cashell:

Pursuant to the amnesty period provided for in the Federal Energy Regulatory Commission's ("FERC" or the "Commission") Order in FERC Docket No. PL93-2-002 at 64 FERC ¶ 61,139, enclosed for filing are the original and six (6) copies each of:

- Two (2) interconnection agreements between Central Vermont Public Service Corporation, ("Central Vermont") and the following non-utility generators: Sweetwater Hydroelectric Inc. (for the Lower Valley Hydroelectric Project); and The Carthusian Foundation In America, Inc.;
- Two (2) interconnection agreements between Connecticut Valley Electric Company, Inc. ("Connecticut Valley") (a subsidiary of Central Vermont) and the following non-utility generators: the NH/VT Energy Recovery Corporation, and the Woodsville Rochester Hydro Associates;
- A Declaration of Agreement for interconnection by Central Vermont with the following non-utility generator: Sweetwater Hydroelectric, Inc. (for the Sweetwater Hydroelectric Project);
- A Declaration of Agreement for interconnection by Connecticut Valley with the following non-utility generator: Woodsville Hydroelectric, Inc. (for the transfer of agreement and continuation of interconnection service for the Woodsville Hydro Project);
- An interconnection agreement between Central Vermont and Connecticut Valley with the following non-utility generator: Lafayette Hydropower, Inc. (for the Lower Village Water Power Project); and

- A Consent to Assignment Agreement between Central Vermont and the following non-utility generator: Southern New Hampshire Hydroelectric Development Corporation (Southern New Hampshire) (for assignment of the Lafayette Hydropower, Inc. interconnection agreement to Southern New Hampshire).

All of the aforementioned documents (together, the "Interconnection Agreements") arise on account of the sale and purchase of electricity pursuant to the Public Utility Regulatory Policies Act of 1978 ("PURPA"). However, the status of the NH/VT Energy Recovery Corporation agreement with Connecticut Valley in this regard is the subject of FERC Docket EL94-10-000. Under the Interconnection Agreements, Central Vermont or Connecticut Valley provide the interconnection to these afore-referenced facilities which are located within the service territory of Central Vermont or Connecticut Valley.

In accordance with the Commission's policy for providing remedies for late-filed agreements in FERC Docket No. PL93-2-002, Central Vermont and Connecticut Valley request that neither company be required to make refunds under this amnesty period filing. There has been no protests or complaints received regarding service provided for under these Interconnection Agreements.

Therefore, according to the Commission's Order, Central Vermont and Connecticut Valley request that the Commission waive notice and allow the Interconnection Agreements to become effective according to their terms. Since no complaint or notice of protest has been filed in connection with service under these agreements, the Companies maintain that good cause exists to waive the 60 day advance notice requirement.

The following documents are enclosed for filing:

Attachment 1 - Generation Interconnection Agreement between Central Vermont and Sweetwater Hydroelectric Inc. for the Lower Valley Hydroelectric Project, dated May 28, 1992;

Attachment 2 - Generation Interconnection Agreement between Central Vermont Public Service Corporation and the Carthusian Foundation In America Inc. dated November 12, 1982;

Attachment 3 - Description of Utility Interconnect between Connecticut Valley and the NH/VT Energy Recovery Corporation, dated December 13, 1984;

Attachment 4 - Generation Interconnection Agreement between Connecticut Valley and Woodsville Rochester Hydro Associates dated November 1, 1982;

Attachment 5 - Declaration of Agreement for Generation Interconnection between Central Vermont and Sweetwater Hydroelectric Inc. for the Sweetwater Hydroelectric Project, dated June 28, 1990;

Attachment 6 - Declaration of Agreement for Generation Interconnection between Connecticut Valley and Woodsville Hydroelectric Inc. for the transfer of agreement and continuation of interconnection service, dated effective September 5, 1989;

Attachment 7 - Interconnection Agreement between Central Vermont, Connecticut Valley and Lafayette Hydropower, Inc. for the Lower Village Water Power Project, dated December 15, 1987;

Attachment 8 - Consent to Assignment Agreement between Central Vermont, and the Southern New Hampshire Hydroelectric Development Corporation (Southern New Hampshire) (for assignment of the Lafayette Hydropower, Inc. interconnection agreement for the Lower Village Water Power Project to Southern New Hampshire), dated December 23, 1992

Attachment 9 - Explanation of filing

Attachment 10 - List of Recipients of this filing and Certificate of Service

Attachment 11 - A Draft Notice of Filing suitable for publication in the Federal Register

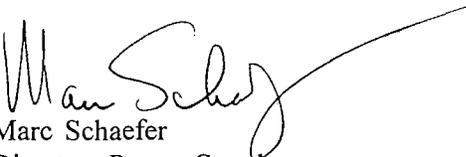
Please address all correspondence relating to this filing to the following persons and place their names on the official service list:

Morris L. Silver
Senior Corporate Counsel
Central Vermont Public Service Corporation
77 Grove Street
Rutland, VT 05701
(802) 747-5241

Robert E. Howland
Manager, Power Supply
Central Vermont Public Service Corporation
77 Grove Street
Rutland, VT 05701
(802) 747-5752

Should you have any questions concerning this filing, please do not hesitate to contact me.

Respectfully submitted,


Marc Schaefer
Director, Power Supply

Enclosures

REH/mkb

**Declaration of Agreement to Interconnect with
Sweetwater Hydroelectric, Inc.
for the Sweetwater Hydroelectric Project**

Central Vermont Public Service Corporation states that it entered into an oral Agreement for Generation Interconnection with Sweetwater Hydroelectric Inc. for the Sweetwater Hydroelectric Project, effective June 28, 1990. The hydroelectric project, located on the Sugar River in Claremont, New Hampshire, sells its output to Central Vermont, with interconnection and power delivery to an adjacent 46 kv transmission line owned and operated by Central Vermont. The term of the contract is for 30 years from commercial operation of the Sweetwater facility on July 1, 1990 to June 30, 2020.

Explanation of Attachment 4

Generation Interconnection Agreement between Connecticut Valley and Woodsville Rochester Hydro Associates dated November 1, 1982; This project is a small hydro project located adjacent to and interconnected with, a Connecticut Valley 8 kv distribution line providing service to Bath, NH. This distribution line is fed from Central Vermont's Wells River Substation. The project sells its output to Central Vermont, with delivery occurring over the Connecticut Valley distribution line.

Explanation of Attachment 5

Declaration of Agreement for Generation Interconnection between Central Vermont Public Service Corporation and Sweetwater Hydroelectric Inc. for the Sweetwater Hydroelectric Project, dated June 28, 1990; This is a small hydro project located at the Coy Paper mill in Connecticut Valley's service territory. Connecticut Valley provides retail service to the mill at transmission voltage over a 46 kv transmission line owned by Central Vermont. The project sells its output to Central Vermont, with the power being delivered to the same Central Vermont 46 kv transmission line.

Explanation of Attachment 6

Declaration of Agreement for Generation Interconnection between Connecticut Valley and Woodsville Hydroelectric Inc. for the transfer of agreement and continuation of interconnection service, dated effective September 5, 1989. The physical interconnection is exactly the same as for the interconnection described in Attachment 4, as explained above. The ownership of the hydroelectric facility changed (with consent by the various utilities involved) creating the need to declare this agreement for interconnection.

Explanation of Attachment 7

Interconnection Agreement between Central Vermont, Connecticut Valley and Lafayette Hydropower, Inc. for the Lower Village Water Power Project, dated December 15, 1987; This project is the combination and redevelopment of two former hydro sites in Connecticut Valley's service territory. The project sells its output to Central Vermont. The output of the plant is delivered by a Connecticut Valley 4 kv distribution line to the Lafayette Street Substation. The Lafayette Street Substation is fed by a Central Vermont 46 kv transmission line where Central Vermont takes delivery of the hydroelectric project's output.

LV 849
Sweetwater's
original

GENERATION INTERCONNECTION AGREEMENT
BETWEEN
CENTRAL VERMONT PUBLIC SERVICE CORPORATION
AND
SWEETWATER HYDROELECTRIC, INC.
FOR THE
LOWER VALLEY HYDROELECTRIC PROJECT

The purpose of this Agreement is to allow the operation of electrical generation facilities interconnected with and operated in parallel with Central Vermont Public Service Corporation's electrical system.

Effective Date: May 28, 1992

CENTRAL VERMONT PUBLIC SERVICE CORPORATION
GENERATION INTERCONNECTION AGREEMENT
LOWER VALLEY HYDROELECTRIC PROJECT

This AGREEMENT ("Agreement") made as of May 28, 1992 ("Effective Date") by and between CENTRAL VERMONT PUBLIC SERVICE CORPORATION, ("CVPS"), a Vermont corporation, and SWEETWATER HYDROELECTRIC, INC., ("Non-Utility Generator" or "NUG"), a New Hampshire corporation;

WITNESSETH:

WHEREAS, the NUG proposes to own and operate a 900 KW hydroelectric generating facility ("Facility") located on property owned by the NUG on the Sugar River in the City of Claremont, Sullivan County, New Hampshire, ("Site"), for the purpose of generating electric power; and

WHEREAS, under the terms contained in this Agreement the NUG desires to operate the Facility interconnected in parallel with CVPS's electric system; and

WHEREAS, the NUG desires to have the option of selling part or all of the electric power produced under applicable Federal and State regulations;

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree that the following terms and conditions shall govern the operation and maintenance of the interconnection of the NUG's Facility with CVPS's electric system.

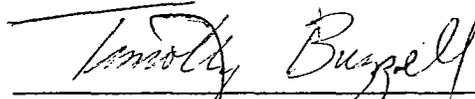
1. DEFINITIONS

For the purposes of this Agreement the following terms shall have the following meanings:

- a. Interconnection Point shall be the point where CVPS' transmission or distribution system connects with the NUG's facility to allow the NUG's generation equipment to operate interconnected in parallel with CVPS' electric system.
- b. Prudent Engineering and Operating Practices shall mean the practices, methods and acts (including but not limited to the practices, methods and acts engaged in or approved by a significant portion of the electric utility industry) that at a particular time, in the exercise of reasonable judgment in light of the facts known or that should have been known at the time a decision was made, would have been expected to accomplish the desired result in a manner consistent with law, regulation, including, but not limited to the National Electric Safety Code, the National Electric Code and other applicable codes, reliability, safety, environmental protection, economy and expedition. With

IN WITNESS WHEREOF, CVPS and the NUG have caused this Agreement to be executed by their respective duly authorized officers as of the date first above written.

SWEETWATER HYDROELECTRIC, INC.



By: Timothy D. Buzzell
Its: President

CENTRAL VERMONT PUBLIC SERVICE
CORPORATION



By: Marc Schaefer
Its: Director, Power Supply

ELECTRICITY PURCHASE AGREEMENT

BETWEEN

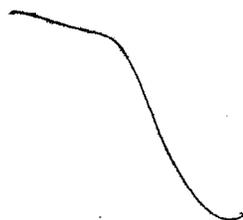
CENTRAL VERMONT PUBLIC SERVICE CORPORATION

AND

SWEETWATER HYDROELECTRIC, INC.

FOR THE

SWEETWATER HYDROELECTRIC PROJECT



June 28, 1990

ELECTRICITY PURCHASE AGREEMENT
SWEETWATER HYDROELECTRIC PROJECT

This AGREEMENT ("Agreement") made as of June 28, 1990 by and between CENTRAL VERMONT PUBLIC SERVICE CORPORATION, ("Buyer" or "Company"), a Vermont corporation, and SWEETWATER HYDROELECTRIC, INC., ("Seller"), a New Hampshire corporation;

WITNESSETH:

WHEREAS, Seller proposes to construct, own and operate a 900 KW hydroelectric generating facility (the "Facility") located on property owned by Seller on the Sugar River in the City of Claremont, Sullivan County, New Hampshire, (the "Site"), for the generation of electricity and transfer of electricity to Buyer's electric system; and

WHEREAS, under the terms contained in this Agreement Buyer will purchase and Seller will sell the entire Net Electrical Output of the Facility amounting to 900 KW; and

WHEREAS, the Buyer is a member of the new England Power Pool ("NEPOOL") and is required to meet certain NEPOOL minimum reserve requirements and submit system generating and transmission facilities to dispatch by New England Power Exchange ("NEPEX") as well as meet certain other NEPOOL requirements;

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree that the following terms and conditions shall govern Seller's sale and transfer of electricity from the Facility and Buyer's purchase and acceptance of such electricity:

1. DEFINITIONS

For the purposes of this Agreement the following terms shall have the following meanings:

- (a) Commercial Operation shall mean the date on which the Facility demonstrates the normal claimed capability of the facility as required by NEPOOL CRS 4 as amended from time to time and on which Seller declares the Facility in commercial operation pursuant to this Agreement.
- (b) Committed Capacity shall mean that portion of the installed capacity committed by Seller for sale to Buyer net of station service use and losses incurred in delivery to the Delivery Point. The Committed Capacity is 900 KW.
- (c) Cumulative Present Value Difference ("CPVD") shall mean the cumulative present value at any point in time of the difference, calculated by the Company, between the

34. CONDITIONS PRECEDENT

The following are conditions precedent to Seller's and Buyer's obligations under this Agreement:

Finalization and inclusion herein of Appendices A (Project Description and Pricing), B (Interconnection Agreement), C (Mortgage and Security Agreement), D (Opinion of Counsel) and E (Site Access).

35. ACKNOWLEDGEMENT OF ARBITRATION

The Parties hereto understand that this Agreement contains an agreement to arbitrate. After signing this document, the Parties understand that they will not be able to bring a law suit concerning any dispute that may arise which is covered by the arbitration agreement, unless the dispute involves a question of constitutional or civil rights. Instead the Parties agree to resolve any such dispute in accordance with Section 22.

IN WITNESS WHEREOF, Buyer and Seller have caused this Agreement to be executed by their respective duly authorized officers as of the date first above written.

SWEETWATER HYDROELECTRIC, INC.

By: Timothy Buzzell
Its: President

CENTRAL VERMONT PUBLIC SERVICE
CORPORATION

By: Clifford E. Griffin 6/28/90
Its: Vice President - System Operations

CENTRAL VERMONT PUBLIC SERVICE CORPORATION

ELECTRICITY PURCHASE AGREEMENT

APPENDIX A

PROJECT DESCRIPTION AND PRICING

1.0 PROJECT SUMMARY

1.1 Name of Project: Sweetwater Hydroelectric Project

1.2 Name of Seller: Sweetwater Hydroelectric, Inc.

Attn: Timothy Buzzell or
Matthew Bonaccorsi

H.C. 64, Box 185 C

Methodist Hill Road

Lebanon, New Hampshire 03766

1.3 Project Location: Claremont, New Hampshire

1.4 Project Description & Site Plan:

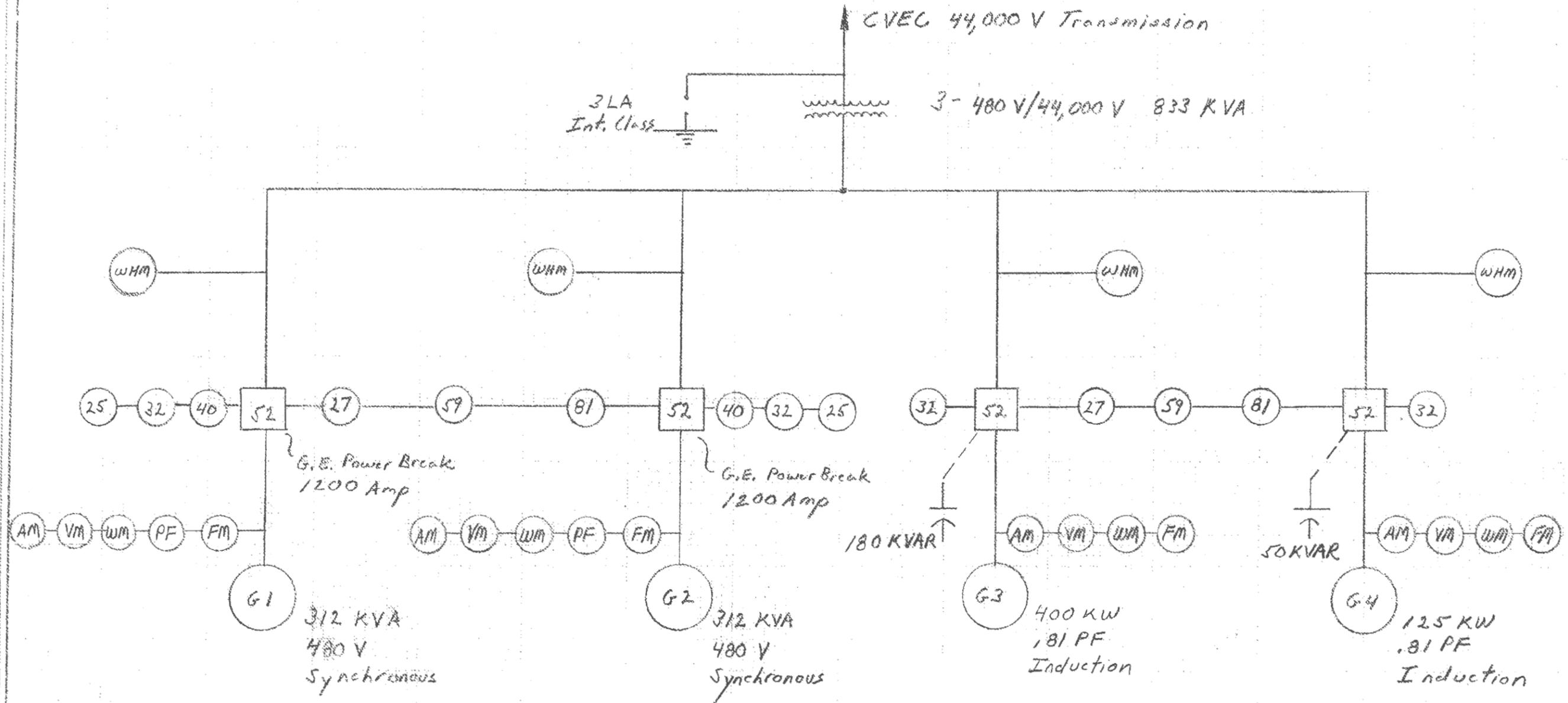
1.4.1 Project Description:

The Sweetwater Hydroelectric Project is located at the existing Coy Paper Company dam (NHWRB No. 47.10) located on the Sugar River 9,000 feet upstream from its confluence with the Connecticut River in the City of Claremont, Sullivan County, New Hampshire. The project is expected to produce 900 kilowatts and 4,000,000 kilowatt hours annually and will interconnect with CVPS' 46 kilovolt three-phase transmission line. The project consists of two facilities, one on the south side of the river referred to as Phase I and one on the north side of the river and referred to as Phase II.

Dam:

Water power facilities have been situated at the site since 1763. The existing dam is a concrete gravity structure last reconstructed in 1924 and resurfaced in 1983. The dam is founded on ledge and has an overall length of 314 feet and a maximum height of 36 feet from

ATTACHMENT D



- 25- Veri-Sync
- 32- Reverse Power
- 40- Loss of Field
- 27- Under Voltage
- 59- Over Voltage
- 81- Under/Over Frequency
- 52- Current Limiting Circuit Breaker

Sweetwater Hydro
 FERC No. 10898

ONE-LINE
 DIAGRAM