

An Overview of the Federal Energy Regulatory Commission's Hydropower Relicensing Program



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What is the Federal Energy Regulatory Commission?

- The Federal Energy Regulatory Commission, or FERC, is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil
 - Headquarters is in Washington, DC with field offices in New York, Atlanta, Chicago, Portland, and San Francisco
- Five commission members, appointed by the President and confirmed by the Senate (5-year terms)
- Supported by 13 offices 1,500 employees of varied and diverse disciplines

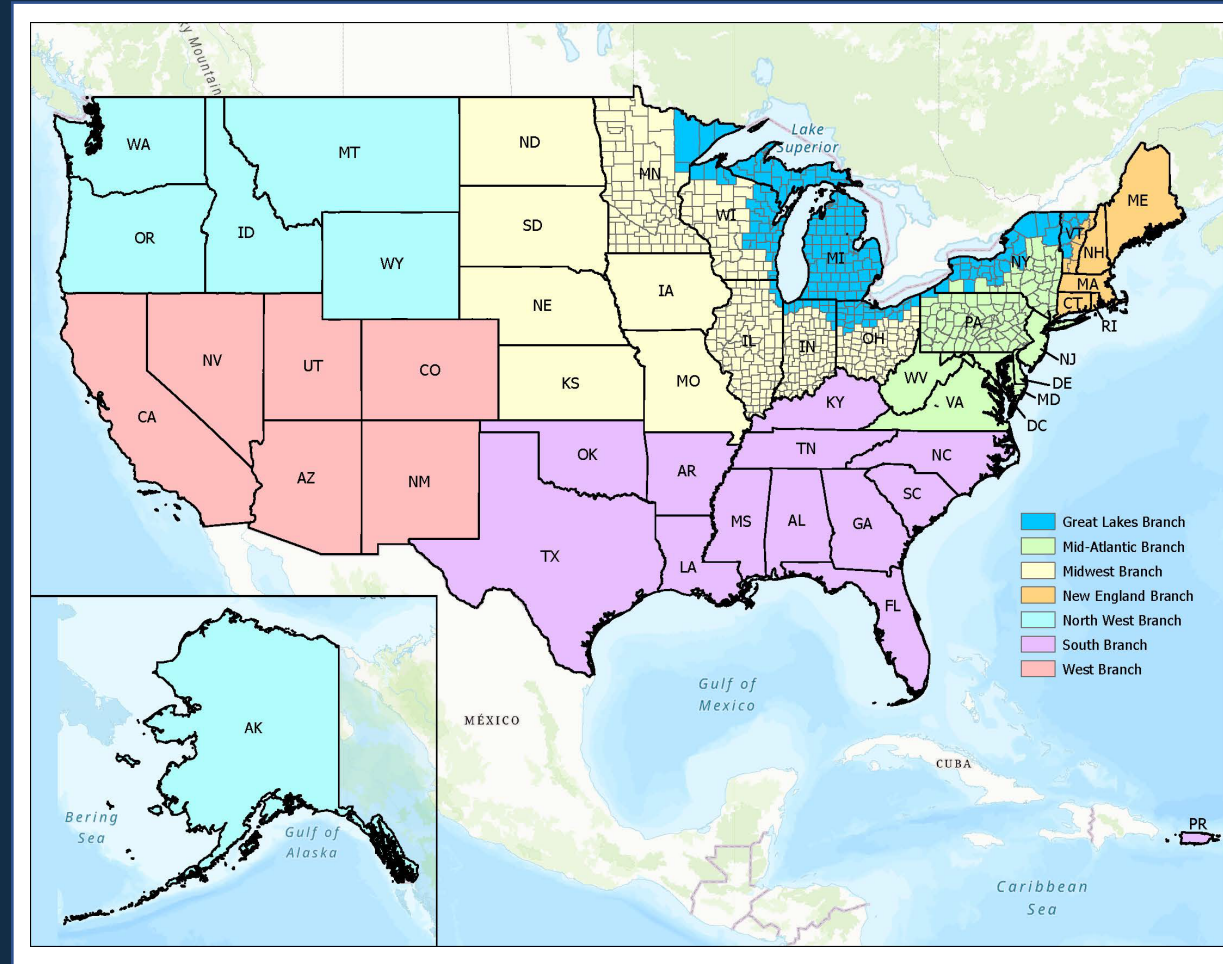


What does FERC regulate?

- Hydroelectric Industry
 - Licensing of non-federal hydroelectric projects
 - Oversee related environmental matters
 - Inspect non-federal hydropower projects for safety issues
- Other Industries
 - Oil Pipeline Industry –
 - Interstate transportation rates and services of crude oil and petroleum products
 - Electric Power Industry
 - Interstate transmission rates & services
 - Wholesale energy rates & services
 - Corporate transactions, mergers, securities issued by public utilities
 - Protect/improve grid reliability/security/compliance

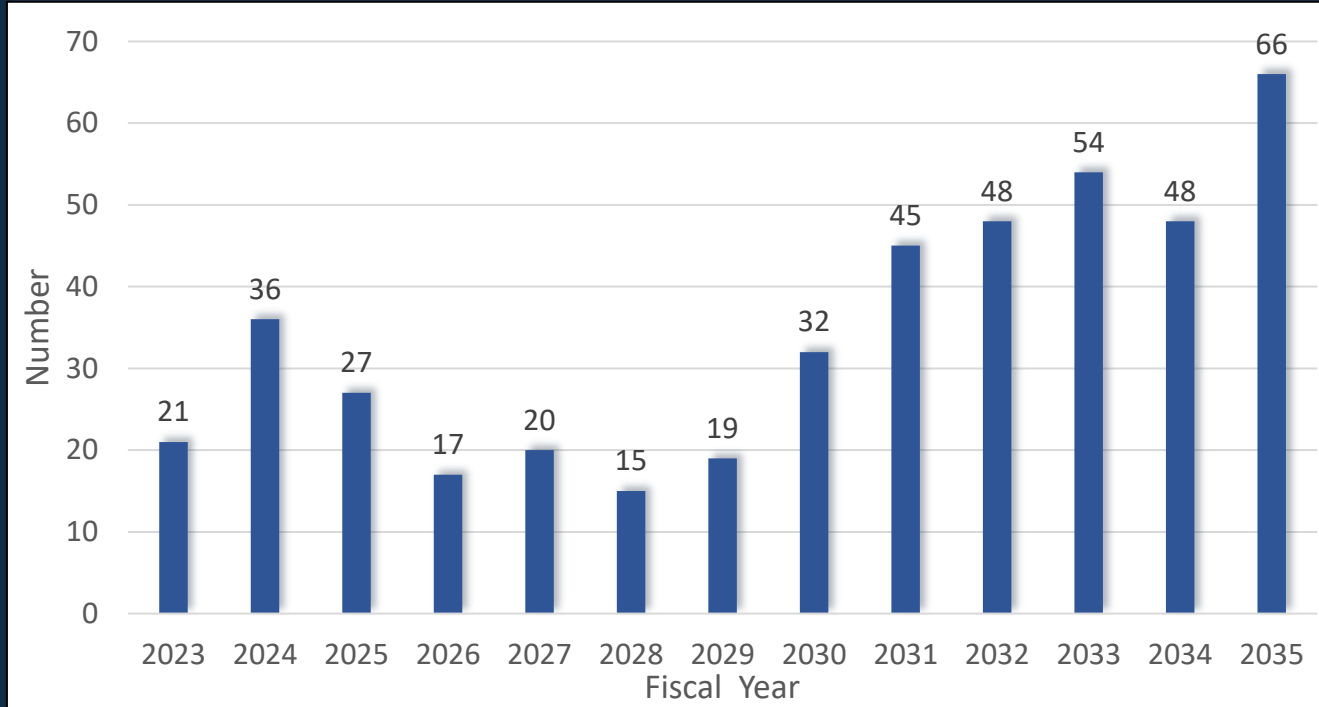


Regions - Division of Hydropower Licensing



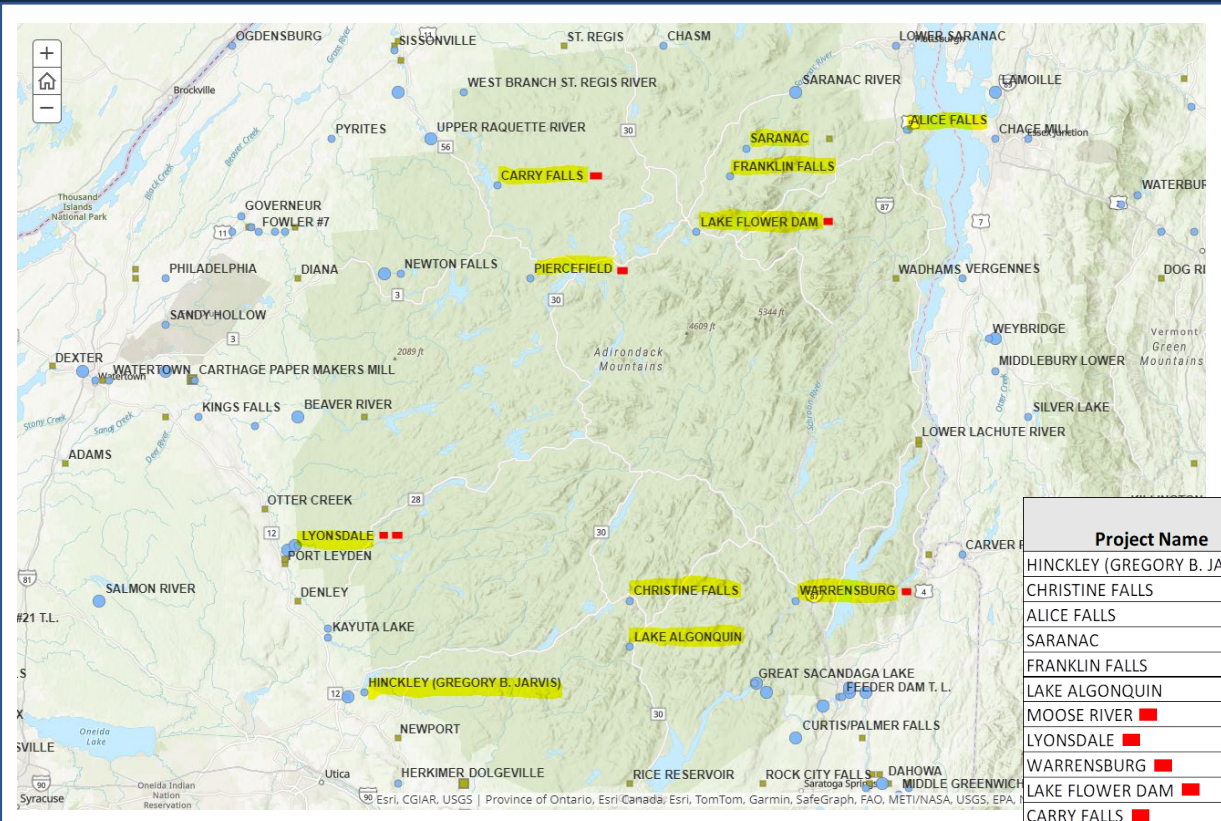


Upcoming Hydro Relicensing Applications





Current/Upcoming Hydro Relicensing Applications



■ Denotes upcoming relicensing

* Moose River Project (not labeled) is located near the Lyonsdale Project.

Project Name	Project Number	Application Date	Waterway	DHL Branch
HINCKLEY (GREGORY B. JARVIS)	P-3211	7/31/2020	West Canada Creek	Mid-Atlantic Branch
CHRISTINE FALLS	P-4639	9/29/2021	Sacandaga River	Mid-Atlantic Branch
ALICE FALLS	P-5867	9/29/2021	Au Sable River	Great Lakes Branch
SARANAC	P-4472	6/30/2022	Saranac River	Great Lakes Branch
FRANKLIN FALLS	P-15000	6/30/2022	Saranac River	Great Lakes Branch
LAKE ALGONQUIN	P-7274	7/31/2023	Sacandaga River	Mid-Atlantic Branch
MOOSE RIVER ■	P-4349	4/30/2024	Moose River	Great Lakes Branch
LYONSDALE ■	P-3255	5/31/2024	Moose River	Great Lakes Branch
WARRENSBURG ■	P-9074	12/31/2024	Schroon River	Mid-Atlantic Branch
LAKE FLOWER DAM ■	P-8369	9/30/2025	Saranac River	Great Lakes Branch
CARRY FALLS ■	P-2060	12/31/2031	Raquette River	Great Lakes Branch
PIERCEFIELD ■	P-7387	10/31/2033	Raquette River	Great Lakes Branch



Three Hydro Licensing Processes

Integrated Licensing Process (ILP)	Traditional Licensing Process (TLP)	Alternative Licensing Process (ALP)
Default process	Available upon request and FERC approval	Available upon request and FERC approval
Projects with complex issues and study needs; FERC oversight in pre-filing	Projects with less complex issues and study needs; limited FERC oversight in pre-filing	Projects that effectively promote a self-driven collaborative pre-filing process; some FERC involvement
Predictable scheduling in both pre-filing and post-filing stages; FERC-approved study plan	Paper-driven process; few set timeframes	Collaboratively-determined schedule in pre-filing stage

Post-filing elements of each process are very similar



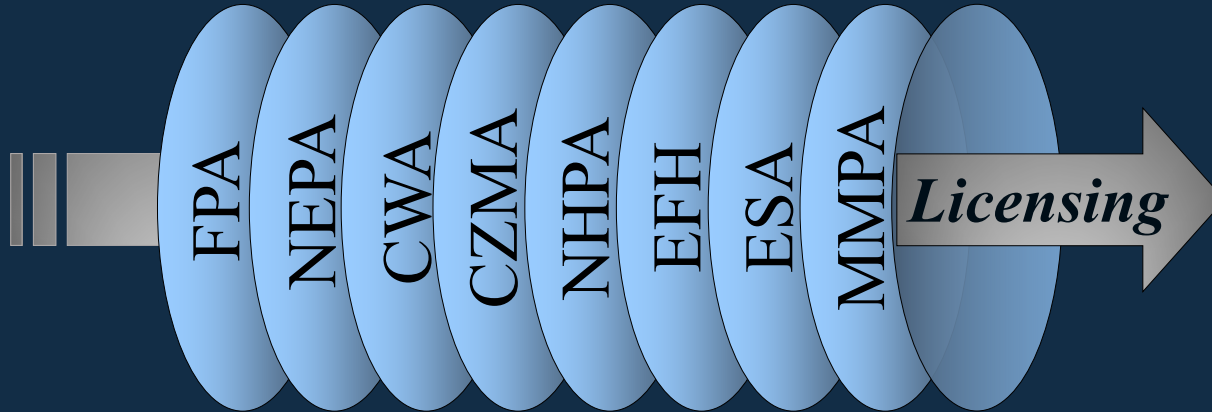
Hydropower Licensing – players and processes



- The licensing process (5 years) includes:
 - Pre-filing (3 years)
 - Consultation/stakeholder input
 - Issue identification
 - Study development/execution
 - License application/development
 - Post-filing (2 years)
 - Public Scoping
 - Preparation of environmental documents (EA/EIS)
 - Public comments/responses
 - License development/compliance



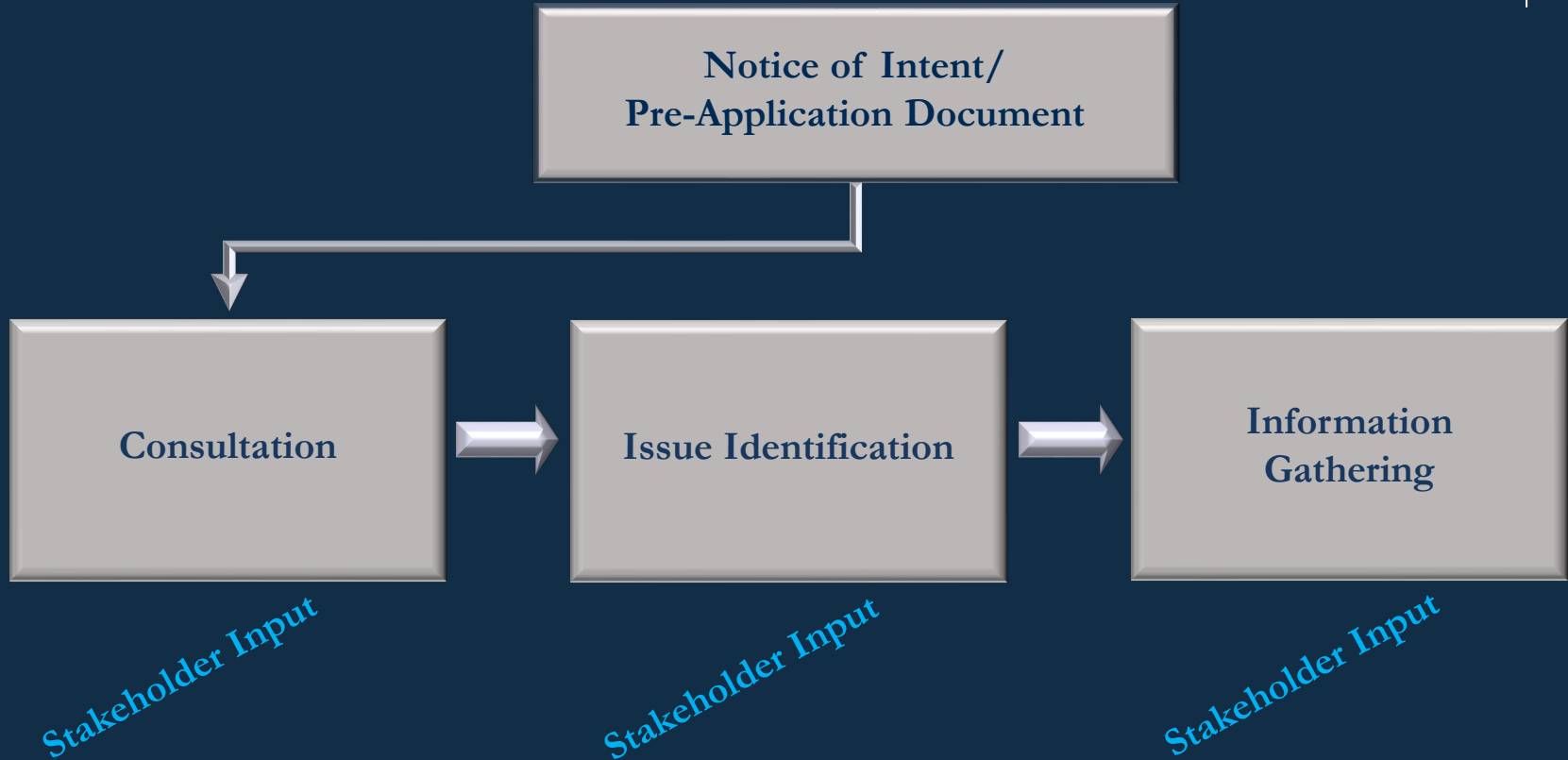
Laws and Regulations



Many players with varying goals
Shared decision making (mandatory conditions)
Study/information needs
Public resource that serves multiple uses

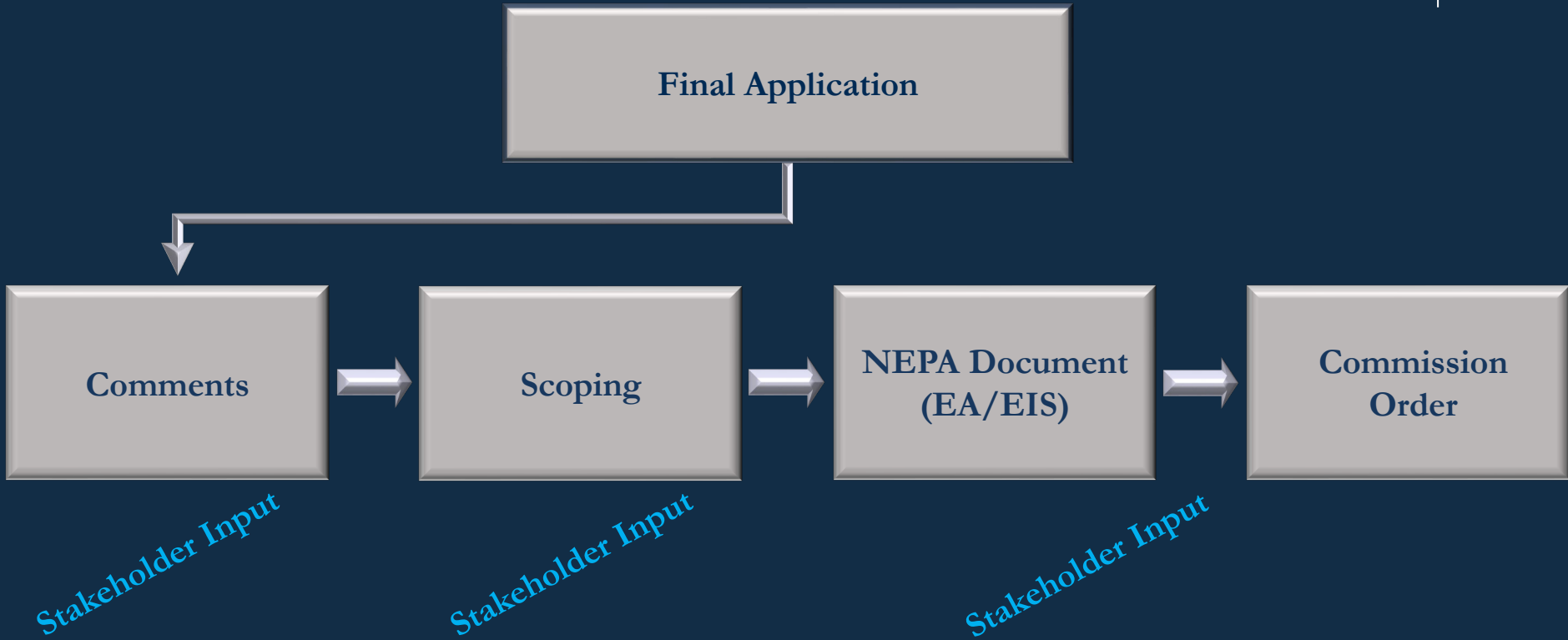


Basic Licensing Steps – Pre-filing (3 years)





Basic Licensing Steps – Post-filing (2 years)





Typical Environmental Concerns Analyzed Under NEPA



Fisheries



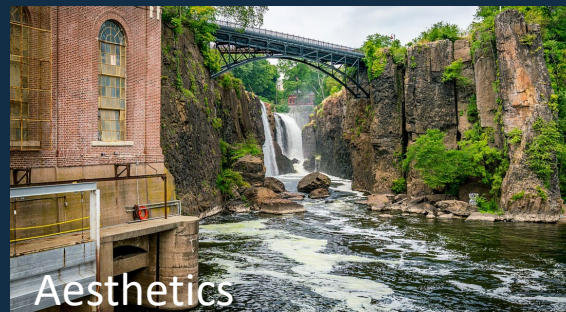
Terrestrial/ESA



Recreation



Water Quality



Aesthetics

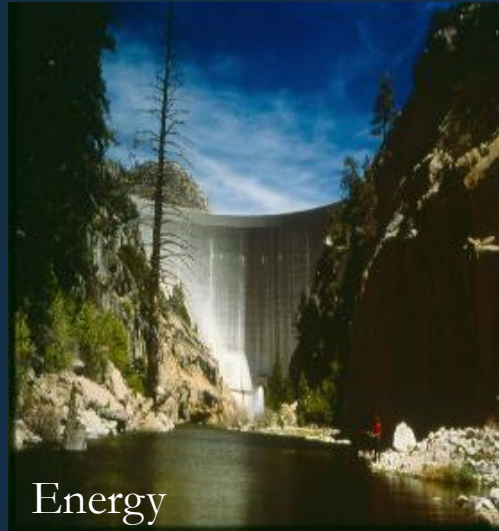
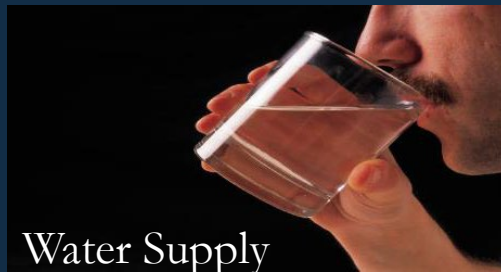


Cultural/Envi. Justice



FPA Requires:

- Equal Consideration – section 4e
 - Equal consideration of environmental and **developmental** values
- Comprehensive Development – section 10a
 - License a project that best serves **public interest** (comprehensive use)





Tips for Getting and Staying Involved

- **START EARLY!**
- Stay Informed
- Participate in Pre-filing
 - Review filings and file documents
 - Participate in meetings, study development, and working groups
- Participate in Post-filing
 - Review application
 - Review NEPA document
 - File comments and recommendations



FERC's Electronic Systems

- eLibrary
- eRegister
- eFiling
- eSubscription
- eService
- eComment

All services are free and available via any internet connection (no installation required)

The screenshot shows the FERC Online website overview page. The browser address bar displays <https://www.ferc.gov/ferc-online/overview>. The page features a navigation menu on the left with icons for FERC, Industries & Data, Public Participation, Enforcement & Legal, News & Events, About, and FERC Online. The main content area is titled "FERC Online" and includes a breadcrumb trail: HOME > FERC ONLINE > FERC ONLINE. Below the title, there is a list of services: Filing Fees, Filing Forms, Notice Formats, How To Guides, Company Registration, and Frequently Asked Questions (FAQs). A "Login" section invites users to log in or create an account. An "eComment" section explains that eComment is limited to individuals filing comments on their own behalf in the following proceedings: Hydroelectric License/Re-license Proceedings (P - Project Number), Pre-Filing Activity for Planned Natural Gas Projects (PF Docket), Applications for Authorization to Construct a Natural Gas Pipeline, Liquefied Natural Gas (LNG) or Other Facility (CP Dockets), Pre-Filing Activity for Permits to Site Interstate Electric Transmission Lines (PT Dockets), and Applications for a Permit to Site Interstate Electric Transmission Lines (ET Dockets). A tip states: "TIP: Your system must not block emails from ferc.gov. After you submit an eComment request, you will receive an email from ferc.gov with a link to the comment system." On the right side, there is a "Quick Links" section with several links: Labelling Guidance for Documents filed with Commission, Order No. 769 (Privileged Materials and Answers to Motions), Filing Guide and Qualified Documents List, Quick Reference Guide to FERC Filing Procedures, eRegister User Guide, eService User Guide, eFiling User Guide, and FY 2010 e-Government Act Report.

<https://www.ferc.gov/ferc-online/overview>

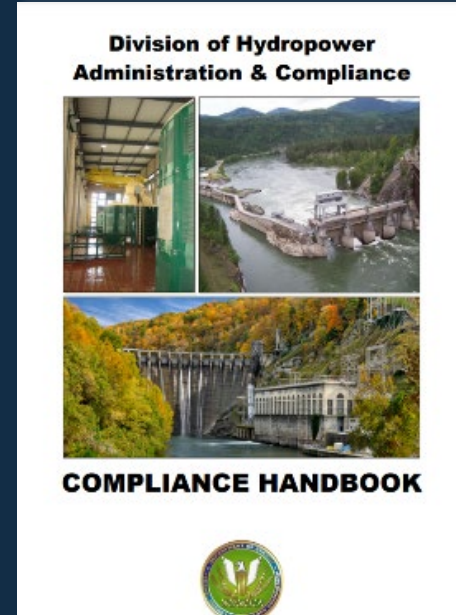
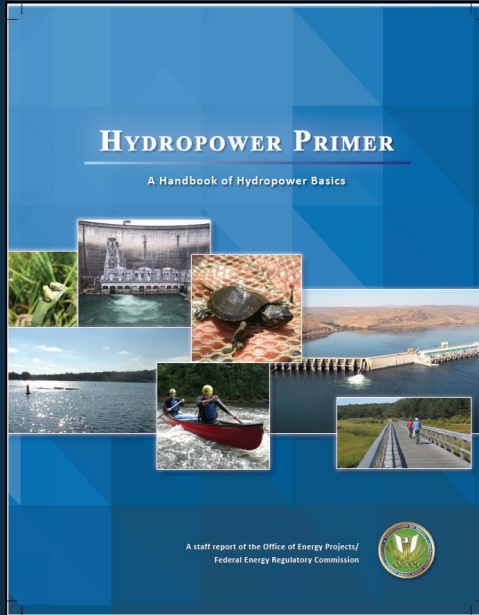


Web Resources – www.FERC.gov

Hydropower Page

(<https://www.ferc.gov/industries-data/hydropower>)

Overview of licensing, compliance, and dam safety programs.





Web Resources – www.FERC.gov

Office of Public Participation (<https://www.ferc.gov/OPP>)

 Federal Energy Regulatory Commission

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Office of Public Participation (OPP)

- Overview
- How to Participate
- Contact FERC
- Intervene
- File a Comment
- Request a Rehearing
- Frequently Asked Questions (FAQs)

About OPP

Pursuant to [Section 319](#) of the Federal Power Act, as amended on November 15, 2021, in [Public Act 117-58](#) or the Infrastructure Investment and Jobs Act the Commission has established the the Office of Public Participation (OPP) to assist the public with Commission proceedings. The Commission has produced a [public report](#) to guide the development of the office based on [stakeholder feedback](#) during listening sessions, a full-day workshop, and a written comment period.

The public can contact OPP now for assistance navigating Commission proceedings of all types. Examples include questions on when and how to intervene, comment, file motions, or seek rehearing. OPP will not assist in the actual drafting of pleadings and other submissions.

OPP is beginning operations with limited staff, so we appreciate the public's understanding and patience if OPP cannot immediately respond. Ongoing and additional support will be further determined and established by the incoming OPP Director.

Watch FERC WorkshOPP: *Tips for Powerful Comments:*

<https://www.youtube.com/live/P12Y7FeUcJw?feature=share>