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Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N. E.  
Washington, DC 20426

Re: P-14524 – Dashields Locks and Dam Hydroelectric Project; APPLICATION TO EXTEND  
TERM OF PRELIMINARY PERMIT

Dear Secretary Bose:

Pursuant to the Hydropower Regulatory Efficiency Act of 2013 (“Act”) and 18 C.F.R. §§ 4.32, 4.81, 4.82, 385.212 and 385.2008 of the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) regulations, Rye Development on behalf of FFP Project 124, LLC (“Applicant”), FERC No. P-14510 (“Project”), hereby submits an Application to Extend the Term of the Preliminary Permit.

The applicant’s current preliminary permit for the Project was issued on December 13, 2013 and expires on November 30, 2016. The applicant seeks a two-year extension of its preliminary permit. This application also describes how the Applicant has carried out activities under its permit in good faith and with reasonable diligence.

#### **I. TERM OF EXTENSION**

The applicant requests that FERC extend the term of the Project’s Preliminary Permit for two additional years beyond the current three-year term.<sup>1</sup>

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<sup>1</sup> Applications to extend a preliminary permit must conform “to any relevant requirements of § 4.81(b), (c), and (d).” 18 C.F.R. § 4.82(a). The applicant’s Exhibit 1 project description (§ 4.81(b)), Exhibit 2 study descriptions (§ 4.81(c)), and Exhibit 3 maps (§ 4.81(d)) are attached to this application.

## **II. APPLICANT CARRIED OUT ACTIVITIES UNDER ITS SECOND PRELIMINARY PERMIT IN GOOD FAITH AND WITH REASONABLE DILIGENCE**

Although the Applicant is unable to file a complete license application by November 30, 2016, the Applicant otherwise carried out activities under its preliminary permit in good faith and with reasonable diligence, including tasks necessary for development and filing of an application at the end of term.<sup>2</sup>

### **A. Progress Made Toward Development Application During the Initial Preliminary Permit Term**

#### **1. Notice of Intent, Pre-Application Document, and Request to Use Traditional Licensing Process**

On September 23, 2016, the Applicant filed a robust Notice of Intent (“NOI”), Pre-Application Document (“PAD”), and a Request to Use the Traditional Licensing Process (“TLP”).

#### **2. Pre-filing Consultation**

In August of 2016, the Applicant distributed a request for information to all entities having management responsibilities or potential interests related to environmental resources in the Project area (a complete list was included in the Applicants September 2016 NOI/PAD). The Applicant’s requests generated a number of substantive responses from state and federal resource agencies and tribes identifying environmental issues that must be addressed in the development application and license.

## **III. CONCLUSION**

The applicant worked diligently and in good faith during the three-year term of its initial preliminary permit for a new renewable energy project, with little or no opposition from the public.

Sincerely,



Erik Steimle

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<sup>2</sup> See *Ariz. Independent Power, Inc.*, 148 FERC ¶ 62,069 (2014) (“Pursuing the requirements of a permit in good faith and with reasonable diligence has meant that, at a minimum, a permittee timely filed progress reports, consulted with resource agencies, and conducted studies, such that Commission staff is able to discern from the permittee’s actions a pattern of progress toward the preparation of a development application.”).

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