

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426
March 10, 2022

OFFICE OF ENERGY PROJECTS

Project No. 14873-001–Alaska
Nuyakuk Hydroelectric Project
Nushagak Electric and Telephone Cooperative

VIA FERC Service

Will Chaney
Electric Operations Manager
Nushagak Electric and Telephone Cooperative
P.O. Box 350
Dillingham, AK 99576

Subject: ILP Process Plan and Schedule

Dear Mr. Chaney:

On June 9, 2020, we granted Nushagak Electric and Telephone Cooperative's (Cooperative) request to hold the Nuyakuk Hydroelectric Project's Integrated Licensing Process (ILP) in abeyance until further notice. On March 2, 2022, the Cooperative filed an updated Proposed Study Plan (PSP) and a request that the abeyance be lifted so that it can proceed with the ILP. The Cooperative's request includes an updated process plan and schedule that is generally consistent with the ILP regulations, except that: (1) it omits the study plan meeting required by section 5.11(e), and (2) requests a 30-day extension of time for stakeholders to file comments on the PSP.

Study Plan Meeting

The Cooperative states that it has already held three PSP meetings to discuss the study plan with stakeholders in April 2020 as required by section 5.11(e) of the Commission's regulations. The Cooperative also states that it held two additional meetings in September 2021 while the ILP was in abeyance to discuss the study plan with stakeholders, prior to filing the updated PSP. Therefore, the cooperative believes additional study plan meetings are not needed.

Section 5.11(e) of the Commission's regulations require a prospective applicant to include with the PSP a proposal for conducting a study plan meeting (or meetings) within 30 days of the due date for filing the PSP. As the Cooperative points out, it has already held multiple stakeholder meetings to discuss and attempt to resolve disagreements on the

study plan. The Cooperative has included in the updated PSP detailed responses to verbal and written comments it has received on the study plan and has also indicated where it has modified the PSP to resolve disagreements. The Cooperative's prior meetings and efforts to resolve disagreements meet the intent of the study plan meetings. There would appear to be little benefit in conducting additional study plan meetings. Therefore, the Cooperative is not required to conduct additional study plan meetings.

PSP Comment Due Date

The Cooperative states that during stakeholder collaboration on the development of the updated PSP, it agreed to conduct a site visit during the spring of 2022 to further refine the study methodologies prior to the due date for stakeholders to file comments on the updated PSP. However, because snow and ice are often present until the end of May, the Cooperative requests an additional 30 days for stakeholders to file comments in order to conduct the site visit and provide the stakeholders sufficient time to consider the information shared during the site visit in preparing their comments on the updated PSP.

Because the site visit may further resolve disagreements over studies and would not unduly delay the development of the license application, the request for a 30-day extension of time to file comments on the PSP is granted.

The process plan and schedule in Attachment A incorporates these changes and continues to the filing of the license application.

If you have any questions, please contact Matt Cutlip at (503) 552-2762 or matt.cutlip@ferc.gov.

Sincerely,

Vince Yearick
Director
Division of Hydropower Licensing

ATTACHMENT A

NUYAKUK PROJECT ILP PROCESS PLAN AND SCHEDULE

If a due date falls on a weekend, holiday, or other day on which the Commission is not open for business, the due date is the following business day.

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Cooperative	File Proposed Study Plan	3/2/22	5.11(a)
All Stakeholders	File comments on Proposed Study Plan	6/30/22	5.12
Cooperative	File Revised Study Plan	7/30/22	5.13(a)
All Stakeholders	File comments on Revised Study Plan	8/14/22	5.13(b)
FERC	Issue Director's Study Plan Determination	8/29/22	5.13(c)
Mandatory Conditioning Agencies	File any Study Disputes	9/18/22	5.14(a)
Dispute Panel	Select Third Dispute Resolution Panel Member	10/3/22	5.14(d)(3)
Dispute Panel	Convene Dispute Resolution Panel	10/8/22	5.14(d)
Cooperative	File Comments on Study Disputes	10/13/22	5.14(i)
Dispute Panel	Dispute Resolution Panel Technical Conference	10/18/22	5.14(j)
Dispute Panel	Issue Dispute Resolution Panel Findings	11/7/22	5.15(k)
FERC	Issue Director's Study Dispute Determination	11/27/22	5.15(l)
Cooperative	First Study Season	2023	5.15(a)
Cooperative	File Initial Study Report	8/29/23	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	9/13/23	5.15(c)(2)
Cooperative	File Initial Study Report Meeting Summary	9/28/23	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	10/28/23	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendments	11/27/23	5.15(c)(5)

FERC	Issue Director's Determination on Disagreements/Amendments	12/27/23	5.15(c)(6)
Cooperative	Second Study Season	2024	5.15(a)
Cooperative	File Updated Study Report	8/29/24	5.15(f)
All Stakeholders	Updated Study Report Meeting	9/13/24	5.15(f)
Cooperative	File Updated Study Report Meeting Summary	9/28/24	5.15(f)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	10/28/24	5.15(f)
All Stakeholders	File Responses to Disagreements/Amendments	11/27/24	5.15(f)
FERC	Issue Director's Determination on Disagreements/Amendments	12/27/24	5.15(f)
Cooperative	File Preliminary Licensing Proposal ¹	1/31/25	5.16(a)-(c)
All Stakeholders	File Comments on Preliminary Licensing Proposal	5/1/25	5/16(e)
Cooperative	File Final License Application ¹	7/1/25	5.17
Cooperative	Issue Public Notice of Final License Application Filing	7/15/25	5.17(d)(2)
¹ Date for filing Preliminary Licensing Proposal and Final License Application are staff estimate			