

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426
October 17, 2019

OFFICE OF ENERGY PROJECTS

Project No. 2459-263—West Virginia
and Pennsylvania
Lake Lynn Hydroelectric Project
Lake Lynn Generation, LLC

VIA FERC Service

Mrs. Jody Smet
Lake Lynn Generation, LLC
2 Bethesda Metro Center, Suite 1330
Bethesda, MD 20814

Reference: Authorization to Use the Traditional Licensing Process

Dear Mrs. Smet:

In a letter filed on August 29, 2019, Lake Lynn Generation, LLC (Lake Lynn) requested approval to use the Traditional Licensing Process (TLP) to prepare a new license application for the 51.2-megawatt Lake Lynn Hydroelectric Project, located on the Cheat River near the City of Morgantown, West Virginia, in Monongalia County, West Virginia and Fayette County, Pennsylvania. On the same date, Lake Lynn filed a notification of intent (NOI) and pre-application document (PAD) for the project.

On September 11, 2019, Lake Lynn filed documentation with the Commission showing that it had published notices of the request to use the TLP in the August 29, 2019 editions of *The Herald-Standard* (in Fayette County, Pennsylvania) and *The Dominion Post* (in Monongalia County, West Virginia). The notices contained the information required in section 5.3(d)(2) of the Commission's regulations, including a statement requesting that comments on the request to use the TLP be filed with the Commission by September 28, 2019. No comments have been filed with the Commission in response to the notice or the PAD.

Therefore, based on the information that Lake Lynn has provided indicating that the complexity of the resource issues is believed to be minor, the level of anticipated controversy is expected to be minimal, and there is a reasonable amount of available

information regarding resources associated with the project, Lake Lynn's request to use the TLP is granted.

Section 16.8 of the Commission's regulations describes the pre-filing steps that need to be completed when preparing an application for a hydropower license under the TLP, including consultation and conducting necessary studies [18 C.F.R. §16.8 (a)-(e)]. Specific steps that will need to be carried out during pre-filing consultation include an initial joint agency/public meeting and site visit [§16.8(b)(3)]; an opportunity for participants to request studies [§16.8(b)(5)]; preparation and participant review of a draft application [§16.8(c)(4)]; and a meeting to resolve any disputes on the draft application [§16.8(c)(6)]. Please note that the initial joint agency/public meeting, is required to be held no sooner than 30 days, nor later than 60 days, from the date of this letter [§16.8(b)(3)(ii)].

If you have any questions, please contact Andy Bernick at (202) 502-8660 or via email at andrew.bernick@ferc.gov.

Sincerely,

Vince Yearick
Director
Division of Hydropower Licensing