

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426

June 13, 2013

OFFICE OF ENERGY PROJECTS

Project No. 405-106 – Maryland
Conowingo Hydroelectric Project
Exelon Generation Company

Ronald H. Fithian, Chairman
Clean Chesapeake Coalition
210 South Cross Street
Chestertown, MD 21620

Reference: Commenting Opportunities on the Conowingo Project

Dear Mr. Fithian:

This is in response to your April 4, 2013, letter, in which you raise concerns about: opportunities to provide input on the relicensing of Exelon Generation Company's (Exelon) Conowingo Project since September 2012, the Sediment Introduction and Transport Study that was conducted on the project, the status of the ready for environmental analysis (REA) notice, and the settlement discussions that Exelon is conducting.

You are correct that there have been limited formal opportunities to comment on the proposed relicensing of the project since the application was filed on August 30, 2012. However, as you are likely aware, there were multiple opportunities to provide comments during the pre-filing consultation process that was conducted on the project, including specific opportunities to comment on the design and implementation of studies.

Regarding your concerns about the on-going settlement discussions, until such time as a settlement agreement is filed with the Commission, it is not part of the Commission's proceeding. If a settlement agreement and supporting documentation are filed, the Commission will consider the agreement and any comments received in response to it in its decision on the relicense application. When reviewing settlements, the Commission looks not only to the wishes of the settling parties, but also at the greater public interest. The Commission also will ensure that a decision on any settlement that may be filed, like all decisions under the Federal Power Act, is supported by substantial evidence and enforceable. For specific questions regarding the on-going settlement discussions, the parties involved, and how to become involved, please speak directly with Exelon.

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The REA notice was issued on April 29, 2013. Any comments you choose to file must be filed by September 30, 2013 to be considered in the draft Environmental Impact Statement (EIS). This includes comments you have on the sediment study. We also will solicit comments on the draft EIS when it is issued.

If you have additional questions, please contact Emily Carter, the Commission's project coordinator for the Conowingo Project, at (202) 502-6512 or via email at Emily.Carter@ferc.gov.

Sincerely,

John B. Smith, Chief
Mid-Atlantic Branch
Division of Hydropower Licensing

Document Content(s)

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