

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
August 10, 2020

OFFICE OF ENERGY PROJECTS

Project No. 2466-034 – Virginia
Niagara Hydroelectric Project
Appalachian Power Company

VIA Electronic Mail

Jonathan Magalski
Environmental Specialist Consultant
American Electric Power Services Corporation
1 Riverside Plaza
Columbus, OH 43215
jmmagalski@aep.com

**Subject: Revised Process Plan and Schedule for the Niagara Hydroelectric Project
No. 2466**

Dear Mr. Magalski:

On July 9, 2019, the Commission issued a process plan and schedule under the Integrated Licensing Process (ILP) for Appalachian Power Company's (Appalachian) Niagara Hydroelectric Project No. 2466 (Niagara Project). The process plan and schedule set pre-filing milestones and deadlines for, among other things, filing study reports, requesting modifications to the approved study plan, filing a preliminary licensing proposal (or draft license application), and filing the final license application.

On November 6, 2019, Appalachian filed a revised study plan (RSP) that included eight proposed studies in support of its intent to relicense the project. On December 6, 2019, the Commission issued a study plan determination for the project approving Appalachian's RSP with staff-recommended modifications.

On July 27, 2020, Appalachian filed its first quarterly study progress report, an updated ILP study schedule, and a request for an extension of time to file the initial study report (ISR) to account for the effects of the Coronavirus pandemic. Appalachian states that current restrictions on non-essential travel and safety considerations for its staff, who would be travelling for and performing the fieldwork, have prevented several of the studies from taking place in the spring and summer of 2020, as originally scheduled in the RSP. Appalachian anticipates commencing fieldwork for a number of studies in the

fall of 2020; however, multiple season-sensitive studies must be delayed until the spring of 2021.¹ On June 29, 2020, Appalachian consulted the U.S. Fish and Wildlife Service, Virginia Department of Wildlife Resources, Virginia Department of Conservation and Recreation, and the Virginia Department of Environmental Quality via conference call to discuss potential changes to the study schedule. All participants concurred with Appalachian's proposed schedule revisions.

Specifically, Appalachian requests that the Commission revise the process plan and schedule to allow Appalachian to file the ISR on January 11, 2021. Appalachian states that it would not be feasible to complete the fieldwork, study reports, and ISR by the current December 5, 2020 deadline. Appalachian states that a deadline extension would provide sufficient time to conduct fieldwork during the fall of 2020, to develop the associated draft study reports, and to finalize a comprehensive ISR. The process plan and schedule for the second study season in 2021 would remain unchanged.

To allow Appalachian additional time to complete the first season's field studies, develop the draft study reports, and complete the ISR, the request to extend the due date for filing the ISR to January 11, 2021 is granted. The revised process plan and schedule for the Niagara Project is attached.

If you have any questions, please contact Allyson Conner at (202) 502-6082 or allyson.conner@ferc.gov.

Sincerely,

Vince Yearick
Director
Division of Hydropower Licensing

Attachment: Revised Process Plan and Schedule

¹ See Attachment 1, ILP Study Schedule Update, of Appalachian's request filed on July 27, 2020.

**ATTACHMENT 1
NIAGARA PROJECT REVISED PROCESS PLAN AND SCHEDULE**

Shaded milestones are unnecessary if there are no study disputes. If the due date falls on a weekend or holiday, the due date is the following business day. Early filings or issuances will not result in changes to these deadlines.

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Appalachian	First Study Season	Spring - Fall 2020	5.15(a)
Appalachian	File Initial Study Report	1/11/2021	5.15(c)(1)
All Stakeholders	Initial Study Report Meeting	1/26/2021	5.15(c)(2)
Appalachian	File Initial Study Report Meeting Summary	2/10/2021	5.15(c)(3)
All Stakeholders	File Disagreements/Requests to Amend Study Plan	3/12/2021	5.15(c)(4)
All Stakeholders	File Responses to Disagreements/Amendment Requests	4/11/2021	5.15(c)(5)
FERC	Issue Director's Determination on Disagreements/Amendments	5/11/2021	5.15(c)(6)
Appalachian	Second Study Season	Spring - Fall 2021	5.15(a)
Appalachian	File Preliminary Licensing Proposal (or Draft License Application)	10/1/2021	5.16(a)-(c)
All Stakeholders	File Comments on Preliminary Licensing Proposal (or Draft License Application)	12/30/2021	5.16(e)
Appalachian	File Updated Study Report	12/5/2021	5.15(f)
All Stakeholders	Updated Study Report Meeting	12/20/2021	5.15(f)
Appalachian	File Updated Study Report Meeting Summary	1/4/2022	5.15(f)
Appalachian	File Final License Application	2/28/2022	5.17
All Stakeholders	File Disagreements/Requests to Amend Study Plan	2/3/2022	5.15(f)

Responsible Party	Pre-Filing Milestone	Date	FERC Regulation
Appalachian	Issue Public Notice of Final License Application Filing	3/14/2022	5.17(d)(2)
All Stakeholders	File Responses to Disagreements/Amendment Requests	3/5/2022	5.15(f)
FERC	Issue Director's Determination on Disagreements/Amendments	4/4/2022	5.15(f)