

175 FERC ¶ 62,137  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Rumford Falls Hydro, LLC

Project No. 2333-093

ORDER AMENDING LICENSE TO INCLUDE BATTERY SYSTEM

(Issued June 3, 2021)

1. On April 27, 2021, and supplemented on May 18, 2021, Rumford Falls Hydro LLC, licensee for the Rumford Falls Project No. 2333,<sup>1</sup> requested Commission authorization to construct and maintain a battery storage system at the project. The project is located on the Androscoggin River in Oxford County, Maine, and does not occupy federal lands.

**Proposed Amendment**

2. The licensee proposes to install a battery system to store energy generated from the hydroelectric facility that could deliver 8 megawatts of power for a two-hour duration (i.e., 16 megawatt-hours (MWh) of battery storage). The licensee states that its proposal would increase project efficiency, but would not change the project's nameplate generating capacity, authorized generating capacity, or hydraulic capacity. The connection points to the electric grid would be unchanged. The battery system would be located on land currently outside the project boundary and housed inside enclosures to be installed on concrete slabs adjacent to a roadway and the project's transmission lines. In order to accommodate the battery system, the licensee would perform vegetation clearing on a 300-foot by 15-foot area adjacent to an access road. The licensee states that the proposed battery system would not change project operations or impact the water control or generating aspects of the project.

**Agency Consultation**

3. Prior to filing its request, the licensee consulted the Maine Department of Inland Fisheries and Wildlife; Maine Department of Environmental Protection (Maine DEP); U.S. Fish and Wildlife Service (FWS); and Maine Historic Preservation Commission (SHPO). Additionally, the licensee also provided its application to a distribution list of over 80 project stakeholders. None of the agencies objected to the licensee's proposal.

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<sup>1</sup> Order Issuing New License (69 FERC ¶ 61,063), issued October 18, 1994.

In a letter dated February 18, 2021, the SHPO concluded that the proposal would not affect any historic properties. In a letter dated March 25, 2021, the Passamaquoddy Tribe responded that it has no concerns with the proposal. In a letter dated April 16, 2021, the FWS responded that the licensee's proposal may affect, but is not likely to result in unauthorized take of, the northern long-eared bat. To avoid impacts to the northern long-eared bat, the licensee proposes to follow the Endangered Species Act section 4(d) rule tree clearing requirements (e.g., time-of-year tree clearing); ordering paragraph (B) requires the licensee to avoid tree clearing during the species' active season (April 1 to October 31).<sup>2</sup> Additionally, the licensee's application notes that the endangered Atlantic salmon may occur in the project area. Given that the licensee's proposal would not involve any in-water work and involves an area adjacent to the project's canal, we find that the licensee's proposal would have no effect on the Atlantic salmon.

### **Discussion and Conclusion**

4. The proposed battery storage system may provide benefits to the interstate electric grid. Because this facility will play a part in the transmission of hydropower from the project to the grid, it will be used and useful in connection with the project,<sup>3</sup> and accordingly is required to be licensed.

5. Installation of the proposed battery system would require minor ground disturbance along a previously disturbed area nearby the project's canal and transmission lines as well as a roadway. Aside from potential impacts to the northern long-eared bat, discussed above, Commission staff has not identified any scenic, environmental, or recreational resources that would be affected by the proposal. Given that the battery system is appurtenant to the project, has not been opposed by any agencies, and would not adversely impact project operations or other project purposes, the licensee's proposal should be approved. In consultation with the Maine DEP, the licensee has determined that the state of Maine's "Permit-by-Rule" regulations apply to this proposal. Thus, the licensee will obtain all necessary federal, state, and local permits prior to installing the battery systems.

6. The licensee filed a revised Exhibit A with its amendment application to reflect the installation of the proposed battery storage system. We have reviewed the exhibit and find the Exhibit A conforms to the Commission's rules and regulations and should be approved, superseding any previous Exhibit A. In addition to reflecting the battery storage system, the licensee made minor revisions to accurately describe the hydraulic capacity of the project in the revised the Exhibit A. Ordering paragraph (C) of this order

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<sup>2</sup> 81 Fed. Reg. 1900 (Jan. 14, 2016).

<sup>3</sup> See 16 U.S.C. § 796(11).

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revises the project description in ordering paragraph (B)(2) of the license consistent with the approved exhibits.

7. The licensee included a revised Exhibit F-9 drawing that depicts the single-line diagram for the project. Commission staff no longer approves these type of drawings; therefore, we will not approve the revised exhibit. Given the requirement to file as-built exhibits discussed below, we will not delete the approved Exhibit F-9 drawing at this time.

8. During our review of the amendment application, we identified that the project transmission lines, as described in the Exhibit A, are not completely within the project boundary on the approved Exhibit G drawings for the project. The licensee must revise the Exhibit G drawings to include all project works within the project boundary when it files the as-built exhibits described below. Additionally, the licensee indicates that the battery system would be constructed on lands outside the project boundary, owned by others, that are within the existing transmission facilities. The licensee is reminded that, pursuant to Article 5 of the license, it must also obtain and retain the necessary land rights for project operations, including the lands where the battery system will be located.

9. The licensee is required to file revised Exhibits A, F, and G, as appropriate, for the project to reflect the installation of the battery system as built. The lands underlying the proposed battery system are located adjacent to, but not inside, the project boundary. Because the battery system is used and useful in connection with the project, the licensee must revise the Exhibit G drawings to include the entire battery system within the project boundary. The revised Exhibit A must conform with section 4.51(b) of the Commission's regulations. The revised Exhibit F and G drawings must comply with sections 4.39 and 4.41(g) and (h) of the Commission's regulations.

The Director orders:

(A) Rumford Falls Hydro, LLC's request to install a battery system at the Rumford Falls Project No. 2333, filed April 27, 2021, and supplemented on May 18, 2021, is approved.

(B) To protect the federally listed northern long-eared bat through its active season (April 1 to October 31), the licensee must include in the permit a condition that tree removal activities must be limited to the period between November 1 and March 31.

(C) The revised Exhibit A, filed May 18, 2021, conforms to the Commission's rules and regulations and this order approves the Exhibit A and makes it part of the license. The previous Exhibit A is eliminated from the license.

(D) Ordering paragraph (B)(2) of the license is revised to read as follows:

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(2) Project works consisting of: Two discrete hydropower developments, the Upper Station Development and the Lower Station Development. The total nameplate capacity of the project is 44.5 megawatts (MW) and the project's maximum hydraulic capacity is 4,550 cubic feet per second (cfs) for the Upper Station Development and 3,100 cfs for the Lower Station Development.

(a) Upper Station Development:

The Upper Station Development's principal features consist of a dam, a forebay, a gatehouse, four short penstocks, a powerhouse, an impoundment, two overhead transmission lines, and appurtenant facilities. The development has a total installed nameplate capacity of 29.3 MW and a maximum hydraulic capacity of 4,550 cfs. In detail, the project can be described as follows:

The Upper Station Development consists of: (1) a concrete gravity dam, having a 464-foot-long by 37-foot-high ogee type spillway section with a crest elevation of 598.74 feet United States Geological Survey (USGS) datum, topped with approximately 2.5-foot-high, pin-supported, wooden flashboards; 271-feet of this consists of an Obermeyer spillway system, (2) a gatehouse with eight head gates (two head gates for each of the four penstocks), trash racks, and other appurtenant equipment; (3) four underground steel-plate penstocks, each approximately 110 feet long, three of which are 12 feet in diameter, and one 13 feet in diameter; (4) a masonry powerhouse integral with the dam, occupying two adjoining sections of the dam: (a) the Old Station, approximately 30 feet wide by 110 feet long by 92 feet high, equipped with one horizontal generating unit with a capacity of 4,300 kilowatts (kW), and (b) the New Station, approximately 60 feet wide by 140 feet long by 76 feet high, equipped with three vertical generating units, two with a capacity of 8,100 kW each, and one with a capacity of 8,800 kW; (5) an impoundment, with a gross storage capacity of 2,900 acre-feet, surface area of approximately 419 acres, normal maximum headwater elevation of 601.24 feet above mean sea level, and tailwater elevation of 502.74 feet; (6) four overhead 11.5-kilovolt (kV) transmission lines extending from the Upper Station to the GSU substation, varying in length from 4,200 feet long to 4,500 feet long; and (7) appurtenant facilities.

(b) Lower Station Development:

The Lower Station Development's principal features consist of the Middle Dam, the Middle Canal headgate structure with a waste weir section, the Middle Canal, a gatehouse, two penstocks (each with a surge tank), a powerhouse, an impoundment, a short transmission line, and appurtenant facilities. The existing development has a total nameplate capacity of 15.2 MW and a total maximum hydraulic capacity of 3,100 cfs. In detail, the project can be described as follows:

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The Lower Station Development consists of: (1) a rock-filled, wooden-cribbed, and concrete-capped Middle Dam, having a 328.6-foot-long by 20-foot-high gravity spillway section, with a crest elevation at 501.24 feet, topped with 1.5-foot-high pin-supported wooden flashboards; (2) a Middle Canal concrete headgate structure, located adjacent to the dam, approximately 120 feet long, with 10 steel headgates, and a waste weir section perpendicular to the headgate structure, approximately 120 feet long, with a crest elevation of 501.74 feet, topped with 1.0-foot-high flashboards; (3) a Middle Canal, approximately 2,400 feet long, with width ranging from 75 to 175 feet and depth from 8 to 16 feet; (4) a gatehouse containing two head gates, trash racks, and other appurtenant equipment; (5) two 12-foot-diameter, steel-plate penstocks, each extending approximately 815 feet to two cylindrical surge tanks, each approximately 36 feet in diameter by 50.5 feet high, and the penstocks continuing 77 feet to the powerhouse; (6) a masonry powerhouse, equipped with two identical vertical units, each with 7,600 kW capacity; (7) an impoundment, with a gross storage capacity of 141 acre-feet, surface area of approximately 21 acres, normal maximum headwater elevation of 502.74 feet above mean sea level, and tailwater elevation of 423.24 feet; (8) Two 11.5-kV generator leads, extending from the Lower Station to GSU substation; and (9) appurtenant facilities.

The project works generally described above are more specifically described and shown in Exhibits A and F.

(E) Within 90 days of completing construction of the battery system, the licensee must file for Commission approval revised Exhibits A, F, and G, as appropriate, to reflect the installation of the battery system as built. The licensee must include a complete set of Exhibit F drawings to supersede the approved Exhibit F drawings for the project that have also been renumbered to reflect removing the one-line diagram. The licensee must revise the Exhibit G drawings to include all project works, including all transmission lines and the entire battery system within the project boundary. If needed, the revised Exhibit A must conform with section 4.51(b) of the Commission's regulations. The revised Exhibit F and G drawings must comply with sections 4.39 and 4.41(g) and (h) of the Commission's regulations.

(F) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825f, and the Commission's regulations at 18 C.F.R. § 385.713 (2020). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this

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order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Robert J. Fletcher  
Land Resources Branch  
Division of Hydropower Administration  
and Compliance

Document Content(s)

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