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July 12, 2012

Adam Kahn  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210-2600

Re: Request for Advisory Opinion  
FirstLight Hydro Generating Company: Northfield Mountain Pumped Storage Project  
and Turners Fall Hydroelectric Project – Erving, Gill, Greenfield, Montague and  
Northfield

Dear Mr. Kahn:

I am writing in response to your letter of July 6, 2012, in which you requested an advisory opinion as to whether review under the Massachusetts Environmental Policy Act (MEPA) would be required for the relicensing by the Federal Energy Regulatory Commission (FERC) for the facilities referenced above.

The facilities utilize water from the Connecticut River to generate hydroelectric power and were first licensed by FERC in 1968. The current FERC license expires in 2018 and the Proponent is now embarking on relicensing both facilities. Prior to relicensing, the Massachusetts Department of Environmental Protection (MassDEP) must issue a 401 Water Quality Certification for both facilities. However, while the facilities require a State Agency Action, no new work or activity is proposed in conjunction with the relicensing. On this basis, you assert that the relicensing does not meet or exceed any MEPA review thresholds, and thus, the facilities would not be subject to any review under MEPA.

Based on the information contained in your letter, I concur that the relicensing of these facilities does not constitute a Project, as it is defined in the MEPA regulations. Because no new work or activity is proposed, no MEPA review thresholds would be met or exceeded. Therefore, the facilities are not subject to MEPA review and the submission of an Environmental Notification Form (ENF) is not required.

Please contact Rick Bourré, Assistant Director of the MEPA Office, at (617) 626-1130 if you have any questions concerning this matter.

Sincerely,

A handwritten signature in blue ink, reading "Maeve Vallely-Bartlett". The signature is fluid and cursive, with the first name "Maeve" being the most prominent part of the script.

Maeve Vallely-Bartlett  
Assistant Secretary