



August 7, 2012

VIA E-FILING

Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 1st Street, N.E.
Washington, DC 20426

Notice of Intent, Pre-Application Document, and Request to Use Traditional Licensing Process for the Claiborne Hydroelectric Project (P-13519)

Dear Secretary Bose:

On behalf of Lock +TM Hydro Friends Fund XIX, LLC (HFF XIX), and in accordance with 18 CFR §5.5, Kleinschmidt Associates herein electronically files with the Federal Energy Regulatory Commission (Commission) the Notice of Intent (NOI) and Pre-Application Document (PAD) for the licensing of the Claiborne Hydroelectric Project (Project) (FERC No. P-13519). The Commission issued HFF XIX, which is a wholly-owned project development subsidiary of Hydro Green Energy, LLC, a 3-year Preliminary Permit for the proposed Project on April 1, 2010.

The proposed Project is located on the Alabama River at the existing U.S. Army Corps of Engineers (USACE) Claiborne Lock and Dam near the city of Monroeville, Alabama in Monroe County. HFF XIX proposes to deploy 2 hydropower turbines within a new powerhouse adjacent to the existing dam.

Pursuant to 18 CFR §5.5(c) and §16.8, and by copy of this letter, HFF XIX is also providing copies of the PAD to relevant resource agencies, tribes, non-governmental organizations, and other potential interested parties included on the attached distribution list. Electronic copies of the filing are available on the Project licensing website at <http://www.hgenenergy.com/licensingactivities.html>.

HFF XIX hereby requests to use the Traditional Licensing Process (TLP) for the licensing of the Claiborne Hydroelectric Project. Pursuant to 18 C.F.R. § 5.3(c)(1)(ii), HFF XIX believes that the request for use of the TLP is supported by the following: **Likelihood of timely license issuance:** The proposed Project would be sited at the existing Claiborne Lock and Dam, operated by the USACE. The Project would have only a limited footprint within an area that has already been

significantly disturbed due to construction and operations of the existing dam. The Project will be operated as a run-of-release project and HFF XIX is not proposing any changes to current operations. Under these circumstances, the use of the TLP could markedly reduce the time required to develop and file a license application within the timeframe required by the Preliminary Permit.

- **Complexity of the resource issues and level of anticipated controversy:** As noted above, the proposed Project would have a relatively small physical footprint and operate in run-of-release mode. HFF XIX does not propose any changes to current USACE dam operations. Again, under these circumstances, HFF XIX believes resource issues that may be raised will not be complex or controversial.
- **Relative cost of the traditional process compared to the integrated process:** HFF XIX believes that the use of the TLP will allow completion of a license application in less time and, therefore, for less cost, than use of the Integrated Licensing Process.
- **The amount of available information and potential for significant disputes over studies:** There is an abundance of USACE data for the existing Claiborne Lock and Dam and HFF XIX has also collected initial environmental information as described in the PAD. HFF XIX believes the parties to this proceeding will generally support its proposed study plan and does not anticipate significant dispute over studies.
- **Other factors believed by the applicant to be pertinent:** Given all of the factors discussed above, HFF XIX considers the TLP to be the most expedient means to obtain an initial license for the proposed hydroelectric project.

As provided in 18 C.F.R. § 5.3(d)(1), by copy of this letter, comments on the request to use the TLP must be filed with the Commission within 30 days of this letter. Pursuant to 18 C.F.R. § 5.3(d)(2), HFF XIX has published notice of the request to use the TLP in a daily newspaper of general circulation in the county in which the Project is to be located; the notice contains the information required by that section.

In accordance with 18 C.F.R § 5.5(e), the joint agency regulations at 50 CFR part 402, Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act, and the implementing regulations at 50 CFR 600.920, HFF XIX hereby requests to be designated as the Commission's non-federal representative for the purposes of consultation under section 7 of the Endangered Species Act. HFF XIX also requests authorization to initiate consultation under section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR 800.2(c)(4).

Additionally, HFF XIX is requesting that FERC conduct early issues scoping in concert with the Joint Agency Meetings. HFF XIX believes this approach will allow for an enhanced consultation process and achieve TLP milestones.

If the Commission approves the use of the TLP, HFF XIX proposes to host a joint agency and public meeting (JAM) and site visit of the Claiborne Hydroelectric Project in accordance with 18 CFR § 16.8 (b)(A) within 30 days of the TLP approval. The purpose of the meeting is to provide the opportunity for stakeholders to visit the Project and discuss information presented in the PAD.

Initially, HFF XIX is proposing to hold the JAM at the Holiday Inn Express, 120 Highway 21 South, Monroeville, Alabama on October 24, 2012. However, the exact meeting date and location will be determined in consultation with jurisdictional agencies and interested licensing participants following the Commission's decision on approval for HFF XIX's use of the TLP process.

Please direct any questions pertaining to the Project or process to Kelly Schaeffer at Kelly.Schaeffer@KeinschmidtUSA.com or to Mark R. Stover, Vice President of Corporate Affairs at Hydro Green Energy, at mark@HGEnergy.com.

Sincerely,

KLEINSCHMIDT ASSOCIATES



Kelly Schaeffer
Senior Regulatory Advisor and Project Manager

KRS:CLB

Attachments: Distribution List
Notice of Intent
Pre-Application Document

cc: Mark R. Stover, Representative, Lock +TM Hydro Friends Fund XIX, LLC

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