



2416 Cades Way
Vista, California 92081
(760) 599-1813

David@LEAPSHydro.com

September 30, 2020

The Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Lake Elsinore Advanced Pumped Storage, FERC Project No. 14227
Comments to Project's Coordinated Project Plan (CPP)

Dear Secretary Bose and FERC'S FAST-41 Team,

The Nevada Hydro Company ("**Nevada Hydro**" or the "**Company**") filed an application with the Federal Energy Regulatory Commission (the "**Commission**" or "**FERC**") for an original license for the Lake Elsinore Advanced Pumped Storage facility, FERC Project No. 14227 (the "**Project**" or "**LEAPS**") on October 2, 2017. The Commission accepted the Application for filing on July 26, 2019 ("**2019 Acceptance Notice**").

On July 8, 2020, Nevada Hydro received notice that the Project met the requirements to become a covered project under the provisions of FAST-41. On August 18, 2020, FERC's Fast-41 Team by email asked the Company to provide comments to its draft Coordinated Project Plan ("**CPP**") and permitting timetable ("**Timetable**") which were attached to that email. Nevada Hydro provided its comments on August 24, 2020.

On September 18, 2020, FERC's FAST-41 Team requested updates to the CCP from agencies and from the Company. Nevada Hydro's comments follow.

Nevada Hydro has reviewed the descriptions of the agency roles and responsibilities in the latest CCP and requests clarification regarding whether the US Forest Service will need to provide a Special Use Authorization ("**SUA**") in conjunction with the Commission's issuance of a license under the Federal Power Act ("**FPA**"). Nevada Hydro understands that the Forest Service is concerned that it may be called upon to issue a SUA for project elements that may ultimately be determined to be outside the scope of the Commission's FPA authority.

Nevada Hydro understands and appreciates the diligence the Commission and all Federal agencies exercised in working together to develop the CPP to ensure all potential eventualities were addressed, and all possible Federal requirements clearly identified. However, given the specifics of this project, Nevada Hydro believes that the permitting process would be more efficient, and in keeping with the goals and objectives of One Federal decision, if FERC, as lead agency, revised the CPP and associated Timetable to reflect Federal requirements only for those agencies with current jurisdiction, based on the project proposed and as identified in

FERC's 2019 Acceptance Notice, where the Commission described "project" elements on page 2 ("The proposed project would consist of the following . . .").

Nevada Hydro has diligently designed and proposed a project that it believes is entirely within the Commission's scope to approve. The additional time, effort and cost the Forest Service is expending on items they feel may be needed "just in case" the Commission excludes portions of the project from its licensing authority represents a significant and potentially unnecessary burden to them and to the Company.

Please let me know if you have questions or concerns.

Sincerely,

/s/
David Kates