

results, data, or other information obtained in writing or orally from the cooperating agency. Communications of a deliberative nature, including drafts of NEPA documents and related communications, are exempt from the disclosure requirement.

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**Note:** The following Appendices will not be published in the Code of Federal Regulations.

## Appendix A

### List of Commenters

#### Licensees

Alaska Power & Telephone Co. (APT)  
Ameren/UE  
American Electric Power Company (AEP)  
CHI Energy, Inc. (CHI)  
Connecticut Small Power Producers Association (CSPPA)  
Domtar, Inc., Madison Paper, and Great Lakes Hydro America (DM&GLH)  
Domtar, Inc. (Domtar)  
Duke Power Company (Duke)  
Edison Electric Institute (EEI)  
FAMP  
FPL Energy (FPL)  
Georgia Power Company (Georgia Power)  
Hydroelectric Relicensing Reform Task Force (HLRTC)<sup>299</sup>  
Idaho Power Company (IPC)  
National Hydropower Association (NHA)  
National Hydropower Association, American Public Power Association, and Edison Electric Institute (NHA)  
New York Power Authority (NYPA)  
North American Hydro (NAH)  
Northeast Utilities (NEU)  
PacifiCorp  
Pacific Gas & Electric Co. (PG&E)  
Puerto Rico Electric Power Authority (PREPA)  
Seattle City Light (SCL)  
Southern California Edison Company (SCE)  
Southern Company (Southern)  
Wausau-Mosinee Paper Corp. (Wausau)  
WE Energies  
Western Public Power Districts (WPPD)  
Xcel Energy (Xcel)

#### Non-Governmental Organizations

Adirondack Mountain Club (ADK)  
Alabama River Alliance (Alabama Rivers)  
American Rivers (AmRivers)  
American Whitewater (AW)  
Appalachian Mountain Club (AMC)  
Catawba-Wateree Relicensing Coalition (C-WRC)  
Connecticut River Watershed Council (CRWC)  
Hydropower Reform Coalition (HRC)  
Kayak and Canoe Club of New York (KCCNY)  
New England FLOW (NE FLOW)  
New York Rivers United (NYRU)  
Pacific Fishery Management Council (PFMC)  
River Alliance of Wisconsin (RAW)

#### Federal Agencies

Advisory Council on Historic Preservation (ACHP)  
Environmental Protection Agency  
National Marine Fisheries Service (NMFS)  
U.S. Department of the Interior (Interior)

#### States/State Agencies

Alaska Department of Fish and Game (ADF&G)  
Alabama Division of Wildlife and Freshwater Fisheries (Alabama)  
California Resources Agency, California EPA, State Water Resources Control Board (California)  
California Department of Water Resources (CDWR)  
California Resources Agency, California EPA, State Water Resources Control Board, Department of Fish and Game, State of California Office of the Attorney General (California)  
Maryland Department of Natural Resources (Maryland DNR)  
Michigan Department of Natural Resources (Michigan DNR)  
New Hampshire Department of Environmental Services (NHDES)  
New York State Department of Environmental Conservation (NYSDEC)  
North Carolina Wildlife Resources Commission (NCWRC)  
Northeast Utilities (NEU)  
Oklahoma Water Resources Board (OWRB)  
Placer County Water Agency (PCWA)  
Snohomish County PUD and City of Everett (Snohomish)  
South Carolina Division of Water Quality (SCDWQ)  
State of Oregon  
State of Washington  
State of Virginia  
State of Vermont, Agency of Natural Resources (VANR)  
Washington Department of Ecology (WDOE)  
Wisconsin Department of Natural Resources (Wisconsin DNR)  
Wyoming Game and Fish Department (WGFD)  
Wyoming Attorney General, Water and Natural Resources Division (Wyoming)

#### Indian Tribes

Affiliated Tribes of Northwest Indians—Economic Development Corporation (NW Indians)  
Bad River Band-Lake Superior Tribe (BRB-LST)  
Caddo Nation of Oklahoma (Caddo)  
Coeur d'Alene Tribe  
Confederated Salish-Kootenai Tribes (Salish-Kootenai)  
Confederated Tribes of the Umatilla Indian Reservation (CTUIR)  
Columbia River Inter-Tribal Fish Commission (CRITFC)  
Duck Valley Shoshone Paiute Tribes of Nevada and Idaho (Shoshone)  
Great Lakes Indian Fish and Wildlife Commission (GLIFWC)  
Haudenosaunee Environmental Task Force (HETF)  
Klamath River Inter-Tribal Fish and Water Commission (KRITFWC)  
Klamath Tribes (KT)  
Menominee Tribe of Wisconsin (Menominee)

Mississippi Band of Choctaw Indians (Choctaw)  
North Fork Rancheria (NF Rancheria)  
Pit River Tribal Council, Hammawi Tribe (PRT)  
Quinalt Indian Nation (Quinalt)  
St. Regis Mohawk Tribe

#### Individuals

Jerry Atkins  
Fred Ayer  
A. Williams Cass  
Thomas Sullivan, Sullivan & Gomez Engineers (Sullivan)  
Nancy Skancke  
Doug Spalding  
David Wehnes

#### Other

Kleinschmidt Associates (Kleinschmidt)  
Long View Associates (Long View)  
Troutman Sanders (Troutman)  
Van Ness Feldman (Van Ness)

## Appendix B

### Specific Requests for Comments

¶ 48 What contents are appropriate for the Pre-Application Document?

¶ 66 Does proposed study criterion (7) or NHA's recommended study criterion (3) more appropriately deal with the issue of study costs?

¶ 90 (a) What modifications, if any, should be made to the proposed study dispute resolution process?

(b) What modifications, if any, should be made to the proposed advisory panel?

¶ 105 (a) In light of the proposal to include full public participation and mandatory, binding study dispute resolution in the traditional process, should the deadline date for filing the water quality certification application for this process remain when the license application is filed, or is there good reason to make the deadline date later?

(b) Should the deadline date for filing a water quality certification application in the ALP remain the application filing date, or be moved to a later date?

¶ 163 Should the integrated process regulations encourage license applicants to include with their draft license applications a non-binding statement of whether or not they intend to engage in settlement negotiations?

¶ 172 Should the proposed integrated process apply to original license applications?

¶ 181 Are there circumstances in which one study dispute resolution advisory panel can make recommendations with respect to disputes involving different, but related resources, such as fisheries and aquatic resources?

¶ 184 Should participants be permitted to make new information-gathering or study requests, as opposed to requests for modification of, or disputes concerning the implementation of, existing studies, following the updated status report?

¶ 185 Should the rules require parties to file written comments on the potential applicant's initial and updated status reports prior to the required meeting?

¶ 187 (a) After the updated status report, should a draft license application be

<sup>299</sup> HLRTC members are drawn from the memberships of the American Public Power Association, Edison Electric Institute, and National Hydropower Association.