

PUBLIC VERSION

CRITICAL ENERGY INFRASTRUCTURE INFORMATION
HAS BEEN REMOVED

February 29, 2012

VIA ELECTRONIC FILING

Hon. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Project No. 13287-000 – City of New York West of Hudson Hydroelectric Project

Application for Original License for Major Project – Existing Dam for
Cannonsville Hydroelectric Project

Dear Secretary Bose:

The City of New York (“City”), acting through the New York City Department of Environmental Protection (“DEP”), hereby files with the Federal Energy Regulatory Commission (“Commission”) an application for an original license for the City’s Cannonsville Hydroelectric Project (“Project”).

On March 20, 2009, the Commission issued a preliminary permit to the City for its West of Hudson Hydroelectric Project.¹ The West of Hudson Hydroelectric Project was comprised of four potential developments – the Cannonsville Development, the Pepacton Development, the Neversink Development, and the Schoharie Development. Because this application pertains only to the Cannonsville Development, and the City is seeking a stand-alone license for that Development, the City now refers to that Development as the “Cannonsville Hydroelectric Project.”

¹ City of New York and Delaware County Electric Cooperative, 126 FERC ¶ 62,215 (2009).

The City expects to file an application for a new, successive preliminary permit for the Pepacton and Neversink Developments within a few days. As explained therein, the City requires additional time to assess and address recently obtained information pertaining to those Developments. As for the Schoharie Development, the City will not seek a new preliminary permit, a license, or an exemption from licensing at this time.

The City is concurrently providing copies of the attached license application on CD to the resource agencies identified below. The City is also providing a notice of availability (substantially similar to the sample notice attached hereto) to other governmental agencies, potentially affected Indian tribes, interested non-governmental organizations, and interested parties. The notice of availability provides such organizations and individuals links to access electronic versions of the license application and instructions for requesting, if desired, a copy of the license application on CD.

In addition, the City will place a copy of the application in the Louise Adelia Read Memorial Library in the Town of Hancock, New York, not far from the site of the Project, at the DEP office in Kingston, New York, and on the DEP's web site (which has a page for the West of Hudson Project). Moreover, notice of the filing will be published in several newspapers serving the area in which the Project is located.

Exhibit F to the license application contains design drawings and supporting design reports for the Project. **The City has designated Exhibit F as Critical Energy Infrastructure Information in accordance with Sections 388.112 and 388.113 of the Commission's regulations, 18 C.F.R. §§ 388.112, 388.113 (2011), and the Commission's "Guidelines for Filing Critical Energy Infrastructure Information (CEII)" ("CEII Filing Guidelines").** The Commission has previously recognized that such data and information constitutes CEII.² Moreover, the Commission's CEII Filing Guidelines expressly recognize that Exhibit F is CEII.³ Accordingly, Exhibit F is being submitted separately in accordance with the CEII Filing Guidelines.

² See, e.g., *Critical Energy Infrastructure Information*, 102 FERC ¶ 61,190 (Order No. 630) at P 32 (2003); and *Critical Energy Infrastructure Information*, 108 FERC ¶ 61,121 (Order No. 649) at P 15 (2004).

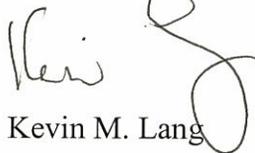
³ See CEII Filing Guidelines at 5. The Commission's CEII Filing Guidelines are available at <http://www.ferc.gov/help/filing-guide/file-ceii/ceii-guidelines/guidelines.pdf>.

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Thank you for your consideration of this matter. Please do not hesitate to contact me with any questions.

Respectfully submitted,

COUCH WHITE, LLP

A handwritten signature in black ink, appearing to read "Kevin M. Lang". The signature is written in a cursive style with a large, looping "K" and "L".

Kevin M. Lang

KML/glm
Enclosures

cc: John Mudre (via overnight mail w/ enc.)
Kimberly Ognisty, Esq. (via overnight mail w/ enc.)
Gerald L. Cross, Regional Engineer (via overnight mail w/ enc.)
Martha Bellinger, NYSDEC (via mail w/ enc.)
Patricia Desnoyers, Esq., NYSDEC (via mail w/ enc.)
Stephen Patch, USFWS (via mail w/ enc.)
David Stilwell, USFWS (via mail w/ enc.)
Regional Administrator, NMFS (via mail w/ enc.)
Judith Enck, Regional Administrator, EPA (via mail w/ enc.)
Anthony Fiore (via email w/o enc.)
Robert Craig, Esq. (via email w/o enc.)
Linda Geary, Esq. (via email w/o enc.)