

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

April 14, 2017

OFFICE OF THE CHAIRMAN

The Honorable Jeanne Shaheen
United States Senate
Washington, D.C. 20510

Dear Senator Shaheen:

Thank you for your letter dated March 31, 2017, regarding the status of the Transmission Services Agreement (TSA) between Hydro Renewable Energy and Northern Pass Transmission LLC (Parties).

As you note in your letter, on January 13, 2014 the Commission accepted an amended Transmission Services Agreement between the Parties in Docket No. ER14-597-000, effective February 14, 2014.¹ As relevant here, the amendments to the TSA accepted in that proceeding included revision of certain dates and definitions, including an "Approval Deadline" defined as February 14, 2017. Article 3, Section 3.3.5(a) of the amended TSA provides that the TSA will terminate if certain authorizations and approvals have not been obtained by the Approval Deadline "unless otherwise agreed in writing by the parties." You note in your letter that the Northern Pass Transmission line has yet to receive essential construction authorizations resulting in uncertainty as to how the terms of the TSA apply and the current status of the agreement. Based on the foregoing, you have asked for clarification of several points. Responses to your questions are listed below.

1. Pursuant to the amendment accepted by FERC effective February 14, 2014, has the TSA between Northern Pass and Hydro Renewable Energy expired?

Title 18, Section 35.15 of the Code of Federal Regulations requires a party to make a filing with the Commission to cancel or terminate a transmission service agreement at least sixty days prior to the date that the cancellation or termination is proposed to take effect. The Commission has not received or accepted any such filing from either Party.

2. To date, has either party filed an amendment to the TSA that has been accepted by, or is currently being considered by FERC that would amend the NPT Line approval date, as defined in the TSA, beyond February 17, 2017?

¹ The original TSA between the Parties was accepted by the Commission on February 11, 2011. *Northern Pass Transmission LLC*, 134 FERC ¶ 61,095 (2011).

No - the Commission has not received any filing from either Party to modify the Approval Deadline of February 14, 2017.

3. If FERC has accepted an amendment to the TSA subsequent to February 14, 2014, at what date was the document submitted to the Commission, and when did it become effective?

As noted above, the Commission has not received any filing from either Party to modify the Approval Deadline of February 14, 2017.

4. If FERC has accepted an amendment to the TSA subsequent to February 14, 2014, what is the approval date in which the agreement would terminate should parties be unable to receive the necessary permits, licenses and approvals?

As noted above, the Commission has not received any filing from either Party to modify the Approval Deadline of February 14, 2017.

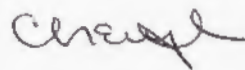
5. How does FERC notify relevant stakeholders that amendments to the TSA have been submitted to, or accepted by the Commission?

Upon receipt of any filing relating to the terms or conditions of jurisdictional service (such as an amendment to or either cancellation or termination of a transmission service agreement), the Commission issues public notice of the filing, which serves to notify stakeholders and other interested persons that a filing has been made. Moreover, all filed documents and all Commission issuances are publicly available through the Commission's eLibrary system, accessible from the Commission's website at www.ferc.gov.

Thank you again for your inquiry. I hope the information I have been able to provide is helpful.

Your letter and this reply have been placed in the public files in Docket No. ER14-597-000. If I can be of further assistance in this or any other Commission matter, please do not hesitate to contact me.

Sincerely,



Cheryl A. LaFleur
Acting Chairman