

Todd J. Griset  
tgriset@preti.com  
207.791.3280

March 29, 2017

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

**RE: Kennebunk Light & Power District  
Mousam Project No. 5362**

Dear Secretary Bose:

On behalf of Kennebunk Light & Power District, enclosed please find for filing the Notice of Intent Not to File an Application for a Subsequent License for the Lower Mousam Project pursuant to the Commission's regulations.<sup>1</sup>

Please contact me if you have any questions regarding this filing.

Sincerely,



Todd J. Griset  
Counsel for Kennebunk Light & Power District  
PretiFlaherty Beliveau & Pachios, LLP  
45 Memorial Circle  
P.O. Box 1058  
Augusta, ME 04332-1058  
Phone: 207-623-5300  
Email: [tgriset@preti.com](mailto:tgriset@preti.com)

---

<sup>1</sup> 18 C.F.R. §5.5(b).

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Kennebunk Light & Power District**        )  
  )

**Project No. 5362**

**Notice of Intent Not to File an Application for a  
Subsequent License for the Lower Mousam Project**

Kennebunk Light & Power District (KLPD) notifies the Federal Energy Regulatory Commission (Commission) of its intent not to file an application for a subsequent license for the Lower Mousam Project, Project No. 5362, pursuant to 18 C.F.R. §5.5(b).

Background:

KLPD is a Maine quasi-municipal corporation distributing electrical power to most of the residents of the Kennebunk, Maine as well as small adjacent areas of Arundel, Wells, and Lyman, Maine. In 1951, through a Private and Special Act of the Maine State Legislature, Kennebunk adopted the charter of and created KLPD, a consumer-owned, not-for-profit entity whose service territory is defined by a charter created by the town and amended by the State Legislature.

KLPD distributes power to the consumers within its service territory as well as constructs and maintains the distribution system. KLPD also owns, operates, repairs, and maintains three small hydroelectric stations on the Mousam River in Kennebunk. KLPD is managed by a General Manager appointed by an elected Board of Trustees responsible for the proper conduct and management of all the affairs of KLPD.

In 1981, KLPD applied to FERC for a license to construct, operate, and maintain the “Lower Mousam Project No. 5362” (“Project”). FERC granted the requested license on April 16, 1982, for a 40-year term, expiring on March 31, 2022. The license covers project works associated with three distinct developments: Dane Perkins, Twine Mill, and Kesslen.

Notice of Intent

18 C.F.R. §5.5(b) provides that “[i]n order for ... an existing licensee to notify the Commission whether or not it intends to file an application for a ... subsequent license, a potential license applicant must file with the Secretary of the Commission in accordance with filing procedures ... a letter that contains” certain information. KLPD is an “existing licensee” within the rule, seeking to inform the Commission that it does not intend to file an application for a subsequent license for the Lower Mousam Project. This letter provides the following required information:

**18 C.F.R. §5.5(b)(1): Name and Address of Existing Licensee**

Kennebunk Light & Power District  
4 Factory Pasture Lane  
Kennebunk, Maine 04043

**18 C.F.R. §5.5(b)(2): Project Number**

The Lower Mousam Project is Project No. 5362.

**18 C.F.R. §5.5(b)(3): License Expiration Date**

The Lower Mousam Project license expires on March 31, 2022.

**18 C.F.R. §5.5(b)(4): Unequivocal Statement of the Existing Licensee's Intention**

KLPD, the existing licensee for Project No. 5362, does not intend to file an application for a subsequent license to own, operate, and maintain the Lower Mousam Project.

**18 C.F.R. §5.5(b)(5): Principal Project Works**

The Project license covers project works associated with three distinct developments: Dane Perkins, Twine Mill, and Kesslen.

The existing Dane Perkins Development consists of: (1) a 12-foot-high, 83-foot-long concrete gravity dam with a 50-foot-long spillway section that has a crest elevation of 81.8 feet mean seal level (msl) plus 2.5-foot-high flashboards; (2) a 25-acre impoundment with a normal maximum elevation of 84.3 feet msl; (3) a powerhouse containing a single turbine-generator unit rated at 150 kilowatts (kW); (4) a generator lead connecting the turbine-generator unit to the regional grid; and (5) appurtenant facilities.

The Twine Mill Development is located approximately 0.5 mile downstream from the Dane Perkins Development and consists of: (1) an 18-foot-high, 223-foot-long concrete gravity dam with an 81-foot-long spillway section that has a crest elevation of 68.8 feet msl plus 3.0-foot-high flashboards; (2) a 12-acre impoundment with a normal maximum elevation of 71.8 feet msl; (3) a powerhouse containing a single turbine-generator unit rated at 300 kW; (4) a generator lead connecting the turbine-generator unit to the regional grid; and (5) appurtenant facilities.

The Kesslen Development is located approximately 2.5 miles downstream from the Twine Mill Development and consists of: (1) an 18-foot-high, 140-foot-long concrete gravity dam with a 114-foot-long spillway section that has a crest elevation of 42.2 feet msl plus 1.5-foot-high flashboards; (2) a 20-acre impoundment with a normal maximum elevation of 43.7 feet msl; (3) a powerhouse containing a single turbine-generator unit rated at 150 kW; (4) a generator lead connecting the turbine-generator unit to the regional grid; and (5) appurtenant facilities.

The Project operates in a run-of-river mode. The current license requires an instantaneous minimum flow of 60 cubic feet per second (cfs), or inflow (whichever is less), downstream of the Kesslen Development from April 1 through June 1 each year. The minimum flow is reduced to 5 cfs from June 2 through March 31 each year.

**18 C.F.R. §5.5(b)(6): Location of Project by State, County, and Stream (and, when appropriate, by city or nearby city.)**

The Project is located on the Mousam River, in the Town of Kennebunk, York County, Maine.

**18 C.F.R. §5.5(b)(7): Installed Plant Capacity**

The Project has a combined capacity of 600 kW.

**18 C.F.R. §5.5(b)(8): Names and Mailing Addresses**

- Every county in which any part of the project is located, and in which any Federal facility that is used or to be used by the project is located

York County  
York County Government Building  
149 Jordan Springs Rd.  
Alfred, ME 04002

- Every city, town, or similar political subdivision:
  - In which any part of the project is located and any Federal facility that is used by the project is located, or

Town of Kennebunk, Maine  
1 Summer Street  
Kennebunk, ME 04043

- That has a population of 5,000 or more people and is located within 15 miles of the existing project dam;

Town of Wells, Maine  
208 Sanford Road  
Wells, ME 04090

Town of York, Maine  
186 York Street  
York, Maine 03909

Town of Kittery, Maine  
200 Rogers Rd  
Kittery, ME 03904

Town of Eliot, Maine  
1333 State Rd  
Eliot, ME 03903

Town of South Berwick, Maine  
180 Main St  
South Berwick, ME 03908

Town of Berwick, Maine  
11 Sullivan St  
Berwick, ME 03901

City of Sanford, Maine  
919 Main Street  
Sanford, ME 04073

Town of Lebanon, Maine  
15 Upper Guinea Rd  
Lebanon, ME 04027

City of Biddeford, Maine  
205 Main St  
Biddeford, ME 04005

City of Saco, Maine  
300 Main St  
Saco, ME 04072

Town of Buxton, Maine  
185 Portland Road  
Buxton, ME 04093

Town of Waterboro, Maine  
24 Townhouse Road East  
Waterboro, ME 04030

- Every irrigation district, drainage district, or similar special purpose political subdivision:
  - In which any part of the project is located and any Federal facility that is used by the project is located;

Kennebunk Sewer District  
PO Box 648  
71 Water Street  
Kennebunk, Maine 04043-0648

Kennebunk, Kennebunkport and Wells Water District  
PO Box 88  
92 Maine Street  
Kennebunk, Maine 04043

- That owns, operates, maintains, or uses any project facility or any Federal facility that is used by the project;

None.

- Every other political subdivision in the general area of the project that there is reason to believe would be likely to be interested in, or affected by, the notification.

None.

- Affected Indian tribes.

Kirk Francis, Chief  
Penobscot Nation  
12 Wabanaki Way  
Indian Island, ME 04468

James E. Francis, Jr., THPO  
Penobscot Nation  
12 Wabanaki Way  
Indian Island, ME 04468

**Mousam Project No. 5362  
Distribution List**

**County in Which Project is Located**

York County York County Government Building 149 Jordan Springs Rd. Alfred, ME 04002	
--	--

**City, Town or Similar Political Subdivision**

Town of Kennebunk, Maine 1 Summer Street Kennebunk, ME 04043	Town of Wells, Maine 208 Sanford Road Wells, ME 04090
Town of York, Maine 186 York Street York, ME 03909	Town of Kittery, Maine 200 Rogers Road Kittery, ME 03904
Town of Eliot, Maine 1333 State Rd. Eliot, ME 03903	Town of South Berwick, Maine 180 Main Street South Berwick, ME 03908
Town of Berwick, Maine 11 Sullivan St. Berwick, ME 03901	City of Sanford, Maine 919 Main Street Sanford, ME 04073
Town of Lebanon, Maine 15 Upper Guinea Rd. Lebanon, ME 04027	City of Biddeford, Maine 205 Main St Biddeford, ME 04005
City of Saco, Maine 300 Main Street Saco, ME 04072	Town of Buxton, Maine 185 Portland Road Buxton, ME 04093
Town of Waterboro, Maine 24 Townhouse Road East Waterboro, ME 04030	

**Political Subdivision**

Kennebunk Sewer District PO Box 648 71 Water Street Kennebunk, ME 04043-0648	Kennebunk, Kennebunkport and Wells Water District P.O. Box 88 92 Maine Street Kennebunk, ME 04043
---	---

**Native American Tribes**

Kirk Francis, Chief Penobscot Nation 12 Wabanaki Way Indian Island, ME 04468	James E. Francis, Jr., THPO Penobscot Nation 12 Wabanaki Way Indian Island, ME 04468
---	---



## CERTIFICATE OF SERVICE

I hereby certify that I caused to be served, by U.S. First Class Mail, or by electronic mail, the Notice of Intent Not to File an Application for a Subsequent License for the Lower Mousam Project, FERC Project No. 5362, in accordance with Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. 385.2010.

March 29, 2017



Todd J. Griset  
Counsel for Kennebunk Light & Power District  
PretiFlaherty Beliveau & Pachios, LLP  
45 Memorial Circle  
P.O. Box 1058  
Augusta, ME 04332-1058  
Phone: 207-623-5300  
Email: [tgriset@preti.com](mailto:tgriset@preti.com)