

From: Bersak, Robert A
To: [Stein, Mark](mailto:Stein.Mark)
Cc: [Webster, David](mailto:Webster.David); [Murphy, Thelma \(Hamilton\)](mailto:Murphy.Thelma.Hamilton); [Noskow, Alan](mailto:Noskow.Alan); [Randall Osteen](mailto:Randall.Osteen); [Samuels, Mary](mailto:Samuels.Mary); [Tracy, Tim](mailto:Tracy.Tim) <TTRACY@balch.com> (TTRACY@balch.com); [Ryan McQueeney](mailto:Ryan.McQueeney); [Chung, Eric H](mailto:Chung.Eric.H); mmiller@balch.com
Subject: RE: NPDES Permit Transfer
Date: Wednesday, August 08, 2018 2:33:08 PM
Attachments: [ATT00001.txt](#)
[FERC Hydro License Tansfer Order.pdf](#)

Mark:

There is finally some news to update you on the status of the sale of Eversource's/PSNH's hydroelectric generating units!

On July 16 FERC issued its much-delayed approval of the transfer of the FERC licenses. FYI, a copy of that approval is attached.

We are shooting for a closing on the transaction in about two weeks, with the ownership of the facilities to transfer as of midnight, Sunday, August 26 (to coincide with the end of an Eversource pay period for the affected employees).

As part of the closing process, there will be separate "Assignment and Assumption Agreements" for the various NPDES permits. As we discussed and consistent with our prior generation sale, copies of the executed agreements will be supplied to EPA upon closing to effectuate transfer of those permits.

We will give you a heads-up as soon as we finalize the closing schedule.

Let me know if you have any questions.

Thanks.

BOB

ROBERT A. BERSAK

Chief Regulatory Counsel

Eversource Energy

[780 N. Commercial St.](#) | P.O. Box 330 | Manchester, NH 03105-0330
[603-634-3355](tel:603-634-3355) | Fax [603-634-2438](tel:603-634-2438) | Robert.Bersak@Eversource.com

From: Stein, Mark [<mailto:Stein.Mark@epa.gov>]

Sent: Tuesday, April 10, 2018 11:47 AM

To: Bersak, Robert A <robert.bersak@eversource.com>

Cc: Webster, David <Webster.David@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; Noskow, Alan <ANoskow@manatt.com>; Randall Osteen <rosteen@hullstreetenergy.com>; Samuels, Mary <msamuels@balch.com>; Tracy, Tim <TTRACY@balch.com> (TTRACY@balch.com) <TTRACY@balch.com>; Ryan McQueeney

<rmcqueeney@hullstreetenergy.com>

Subject: RE: NPDES Permit Transfer

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Hi Bob – I think that works.

From: Bersak, Robert A [<mailto:robert.bersak@eversource.com>]

Sent: Tuesday, April 10, 2018 11:10 AM

To: Stein, Mark <Stein.Mark@epa.gov>

Cc: Webster, David <Webster.David@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; Noskow, Alan <ANoskow@manatt.com>; Randall Osteen <rosteen@hullstreetenergy.com>; Samuels, Mary <msamuels@balch.com>; Tracy, Tim <TTRACY@balch.com> (TTRACY@balch.com) <TTRACY@balch.com>; Ryan McQueeney <rmcqueeney@hullstreetenergy.com>

Subject: RE: NPDES Permit Transfer

Mark:

We are still waiting for one last FERC approval that is a prerequisite to closing. Once that approval is received and becomes final, the sale of our hydro generating assets can move to closing.

Unless we hear otherwise, we intend to use the same procedure as we did for the thermal generating plants - - that is, at closing the Buyer will notify EPA of the closing and will provide individual "Assignment and Assumption Agreements" evidencing the transfer of the NPDES authorizations from PSNH to each of Buyer's special purpose LLCs.

If some other process is needed due to the authorizations under the NPDES general permit, please let us know.

Thanks again!!

BOB

ROBERT A. BERSAK

Chief Regulatory Counsel

Eversource Energy

[780 N. Commercial St.](#) | P.O. Box 330 | Manchester, NH 03105-0330
[603-634-3355](tel:603-634-3355) | Fax [603-634-2438](tel:603-634-2438) | Robert.Bersak@Eversource.com

From: Stein, Mark [<mailto:Stein.Mark@epa.gov>]

Sent: Friday, March 30, 2018 10:20 AM

To: Samuels, Mary <msamuels@balch.com>

Cc: Webster, David <Webster.David@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; Bersak, Robert A <robert.bersak@eversource.com>
Subject: RE: NPDES Permit Transfer

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Mary – Thanks for sending this letter. It tracks what we all discussed on the phone and keeps the ball moving on this.

Meanwhile, we are also making progress on our end toward settling on a what mechanism we will use to the address the transfer of the permits.

Please keep us posted on the closing date as it becomes more clear.

Thanks again.

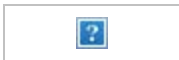
- Mark Stein

From: Samuels, Mary [<mailto:msamuels@balch.com>]
Sent: Thursday, March 29, 2018 3:45 PM
To: Stein, Mark <Stein.Mark@epa.gov>
Cc: Webster, David <Webster.David@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; 'robert.bersak@eversource.com' <robert.bersak@eversource.com>
Subject: NPDES Permit Transfer

Mark-

Attached is a letter regarding the anticipated transfer of PSNH's hydro NPDES permits to Hull Street Energy. Please let Bob or me know if you have any questions or need additional information.

Thank you,
Mary



Mary Forman Samuels, Partner, Balch & Bingham LLP
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