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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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In the Matter of: : Project Number

NORWAY-OAKDALE : P12514-000

HYDROELECTRIC PROJECT :

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Best Western Brandywine  
728 South Sixth Street  
Monticello, Indiana

Thursday, May 19, 2005

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The above-entitled matter came on for hearing,  
pursuant to notice, at 10:00 a.m.

BEFORE:

LESLIE SMYTHE  
Louis Berger  
75 Second Avenue  
Needham, Massachusetts

1 APPEARANCES (CONTINUED):

2

3 Bill Hindsley - NIPSCO

4 Lee Emery - FERC

5

6 Sergiu Serban - FERC

7

8 Mario Finis, P.E. - Montgomery Watson Harza

9

10 Carolyn Holsopple - FERC

11

12 Alynda Foreman - FERC

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14 Spence Smith - Louis Berger

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16 Bert Valenkamph - NIPSCO

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18 Brian Clever - Schiff Hardin, LLP

19

20 Mike Canner - NIPSCO

21

22 James Fitzer - NIPSCO

23

24 Steve Bedross - Montgomery Watson Harza

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## P R O C E E D I N G S

(10:00 a.m.)

1  
2  
3 MS. SMYTHE: Okay, I think we've probably got as  
4 many folks as we're going to be getting. I think I've seen  
5 most of the faces before. Either during the field trip  
6 which we had on Wednesday, which was marvelous. Yesterday  
7 was a gorgeous day and we got to spend it mostly outdoors,  
8 came to see what the project was all about. We had an  
9 evening meeting last night. So this is the second of the  
10 scoping meetings that the Federal Energy Regularly  
11 Commission is holding for the Norway-Oakdale Projects.

12 And the reason we're here is because there was an  
13 application filed for license under the Federal Power Act  
14 and FERC's obligation is to conduct a NEPA analysis. That's  
15 the National Environmental Policy Act Analysis. And in order  
16 to do that we consult with the public and the agencies and  
17 everybody else who could possibly be here on these projects  
18 to get their opinions and their concerns and their  
19 information so that we can conduct the most comprehensive  
20 analysis possible.

21 Now this morning we were hoping we were going to  
22 have a larger agency representation that we had last night  
23 which was more publically oriented. But I understand that  
24 we had some travel limitations for the Fish and Wildlife  
25 Services, the Federal Fish and Wildlife Services so we are

1 not going to be able to wait for them to come. They are not  
2 going to be able to.

3 My name is Leslie Smythe. I'm going to moderate  
4 this meeting. I'm also the coordinator on FERC's behalf of  
5 the contractor to the Federal Energy Regulatory Commission  
6 and I'll be coordinating preparation of the NEPA document.

7 Also here with me is FERC's coordinator, which is  
8 Sergiu Serban. He's going to make sure that we adhere to  
9 the requirements of the Federal Power Act and also that our  
10 NEPA document represents everybody's needs. Next to him is  
11 Lee Emery who is the aquatics specialist who is going to  
12 take the lead on the aquatic water quality and the aquatic  
13 resources; fisheries and things. And next to him is Carolyn  
14 Holstopple who covers virtually everything else on FERC's  
15 behalf; land use, recreation, cultural, and those things  
16 that aren't covered by the --

17 I'm a biologist by trade but that is a long time  
18 ago. I'm supported by my team with the Louis Berger group.  
19 On the fishery side in aquatics is Spence Smith. And on the  
20 terrestrial and all those other things like Carolyn's side,  
21 is going to be Alynda Foreman. And we do have a few other  
22 resources back in the office that we didn't bring. We have  
23 our engineers, our hydrologists, ourselves, and some other  
24 specialists in there, and we have a cultural specialist.  
25 But we couldn't bring everybody. But we bring as many as we

1 can so that we can represent as many people as is possible.  
2 We really want to hear what you have to say and we want to  
3 understand the significance of it. So, that's why we're all  
4 here.

5 This is a very informal, very open meeting.  
6 We're going to start off after I finish flapping at you.  
7 We're going to have Bill Hindsley, who's going to give you  
8 an overview of the projects and some of the proposed  
9 remediation measures. We're then going to just verbally go  
10 through in the scoping document, which I hope everybody has  
11 picked up the issues that we preliminary identified as being  
12 of possible interest and that we will look at in preparation  
13 for the NEPA document. And then we'll throw the floor open  
14 to discussion and questions.

15 Where we are in the overall process is the  
16 application was filed last June. There was a bit of a  
17 hiatus. There were some gaps in the application that needed  
18 to be filled. Those were filled. FERC issued a notice  
19 accepting the application as being adequate and we issued a  
20 scoping document. That brings us here. When we've finished  
21 all of this we carry on. I'll bring you up to date on that  
22 after we've done all the rest of this, so it's very current  
23 in your minds. But this is not the only opportunity for  
24 comment. There are many more and I'll give you the schedule  
25 for that later.

1                   So I guess it's up to you, Bill, all yours.

2                   MR. HINDSLEY: My turn, huh?

3                   MS. SMYTHE: Yeah, it's your turn.

4                   MR. HINDSLEY: I'm Bill Hindsley. For you that  
5                   don't know me, I've been in charge of the dams for 25 years.  
6                   So I know a little bit about them. As you can see up there  
7                   it says, Norway-Oakland Hydroelectric Project, FERC Number  
8                   P12514-000. If you go to the FERC website, I think it's on  
9                   their eLibrary, I believe. You have a place to put that  
10                  FERC number in and pull up all the documentation that's been  
11                  sent to FERC in regards to this project. You can also on  
12                  their website set it up so whenever they get a document on  
13                  our project they'll arrange to send it back to you, e-mail,  
14                  to let you know  
15                  -- document. So you can kind of look at documents that way.

16  
17                  A little bit about our company, Northern Indiana  
18                  Public Service Company. We're a full service utility  
19                  provider including power and natural gas. Basically what  
20                  we're saying there is that we generate electricity, we  
21                  transmit electricity on the transmission lines and we put it  
22                  on the distribution lines to send it to the homes. So we  
23                  have it from the start to end.

24                  Also on the gas side we have transmission lines  
25                  coming out of Texas that come up into the Midwest and out

1 east out into New England and we have distribution lines  
2 coming off of that that serves natural gas to all those  
3 people.

4 We have coal fired generation. We have gas fired  
5 generation and of course, the hydrogeneration. We have  
6 three coal fired plants. Bailey and Michigan City and  
7 Schahfer plant and then the two hydro plants, Norway and  
8 Oakdale. Parent company, NiSource, delivers energy to over  
9 33.7 million customers from the Golf Coast to the Midwest to  
10 New England. Most of those customers are gas customers. We  
11 serve the north one third of Indiana for electric. We also  
12 serve gas in that area but we also serve gas from us to the  
13 east, the New England.

14 The hydro power Norway and Oakdale represents  
15 less than one percent of NIPSCO's generation. As I  
16 mentioned, we have three generation plants. The coal fired  
17 plants, they produce the majority of our electricity. So a  
18 very small part of it actually comes from hydros. We also  
19 have a website, [www.NIPSCO](http://www.NIPSCO) and [www.NiSource](http://www.NiSource) and we have some  
20 of the documentation, just like FERC does, along with that.

21 Norway and Oakdale Hydro Electric Projects  
22 located near Monticello. Norway is just a little bit north  
23 of Monticello and Oakdale is about halfway between  
24 Monticello and Delphi. Norway at dam forms Lake Shafer  
25 which is about a ten mile long lake. Oakdale forms Lake

1 Freeman, again, about ten miles. And there is about a two  
2 miles stretch of river between Norway and Lake Freeman.

3 A nice picture of Norway when it's flooding gives  
4 you the overall site. Norway's development, we started  
5 building in 1922 and finished in 1923. It took about 14  
6 month to build. We got kind of a layout of looking down at  
7 the dam. Starting at the right side of it, we have the left  
8 earth embankment. Then about right there we have the  
9 overflow spillway, flood gates, powerhouse, the substation  
10 over here. And then we have a transmission light that comes  
11 out and goes back into the Monticello substation down by the  
12 old RCA building.

13 Picture of the gated spillway, we have three  
14 flood gates, 30 foot wide, 20 foot high. Each gate can  
15 discharge about 7500 cubic feet per second. Power house, we  
16 have four vertical Francis Turbines. That's the type of  
17 water wheel turbine we have in the, in the generator.  
18 They're actually Westinghouse generators. Total capacity  
19 when all four are running is 7.2 megawatts.

20 Braided head, that's the fall of the water from  
21 the lake to the river below, 28 foot. Hydraulic capacity is  
22 3640 cubic feet per second. There's a picture of the power  
23 house. You can see the intakes there by, down in this area  
24 here where the water goes into the generators and back over  
25 here is our gated spillway.

1           Oakdale again, a good picture when it's  
2           flooding. It looks like there's two syphons. I don't think  
3           the syphons are on all the way, but it looks like they were  
4           starting them. Again, a plant you're looking down at that  
5           Oakdale. It started operation in 1925 and actually it was  
6           built in 1924 to 1925. We had about 14 months. Starting on  
7           the east side or on the right side, right there, is the east  
8           dam, power house, gated spillway, syphons, earths and dam,  
9           then the substation is on top of the power house.

10           There we also used the Francis Turbines. But we  
11           have Allis-Chalmers generation instead of Westinghouse.  
12           Total capacity there is 9.2 megawatts. The braided head is  
13           I 42-48 foot, hydraulic capacity of 2,190 CFS. Here a  
14           picture of the power house. You can see the gates spillway  
15           there to your left. And going to your right, syphons back  
16           under the gated warning sign.

17           Here you can see a little bit of the concrete  
18           work, or quite a bit of the concrete work we've done in the  
19           past. You can see the syphon face has been all redone. The  
20           far retaining wall has been redone. The new wall right,  
21           right there is the building to separate the syphons from the  
22           flood gates. Last year we rebuilt that center pier. I  
23           can't get there. But anyway, the first pier of the flood  
24           gates. This year we're scheduled to do the far side here of  
25           the flood gates.

1           The projects are essentially run-of-the-river  
2           dams. Basically what that means is whatever the flow of the  
3           Tippecanoe River is coming in to us, determines how much we  
4           can discharge from the dams. So we try and match river flow  
5           as close as we can. Lake Shafer, we tried to maintain Lake  
6           Shafer within .6 tenths of a foot, plus or minus of the  
7           elevation from October 1st to May 31st. And plus or minus  
8           2500 square foot from June 1st to September 30th and you see  
9           that kind of levels that at Lake Freeman. There is very  
10          little flood continuation capability. Basically says we're  
11          not flood controlled. Our reservoirs are so small that if  
12          we draw down, draw them down and have a flood it would go  
13          right out and still flood. So it's basically saying we're  
14          not flood controlled around the river.

15                 FERC licensing, we started FERC -- we're under  
16                 their jurisdiction in 2000. Some of you attended our first  
17                 stage consultant document that we had public meetings on in  
18                 November of 2001. We sent in draft license application in  
19                 September, 2003. We sent it to the agencies and also to  
20                 FERC and the agencies responded back to us what they felt  
21                 that we needed to do. And then we did a license application  
22                 in June of 2004 and including one of the comments that we  
23                 got back from the agencies.

24                 Water quality certification issued by IDEM on  
25                 March 24, 2005 was one of the issues of the licensing is the

1 State of Indiana has to issue us a water quality  
2 certification. And we received that in March. And we're  
3 right now in negotiations with U.S. Fish and Wildlife,  
4 Indiana DNR and IDEM on the different issues there of water  
5 use quality, fish and mussel, sediment and so on.

6 In the current licensing proposal that we just  
7 sent in last year some of the things that we're proposing is  
8 a little bit different. Again, we're in negotiations with  
9 the U.S. Fish and Wildlife, Indiana DNR.

10 Current proposals we're working on, they're in  
11 here under water use. Fish and mussel and recreation.  
12 Water use and quality of, one of the things we put in the  
13 application and as the terms of the proposal we changed a  
14 little bit of our elevations that we were asked to do. We  
15 went to plus or minus .25 tenths of a foot deviation on the  
16 lakes year round with, under abnormal conditions such as  
17 flooding and ice and other things, earthquakes, that type of  
18 thing that we can actually go along a little bit higher. We  
19 can go plus .75 hundredths at that time.

20 Written notification prior to scheduled draw  
21 downs. We're going to try to do a little bit better  
22 notifying people when we do a draw down. Tail race, DO  
23 monitoring in 2005 with mitigation measures to follow if  
24 warranted.

25 Part of our water quality survey was that IDEM

1 asked us to do some studies of the actual DO or dissolved  
2 oxygen below the two dams. So we're in the process right  
3 now of putting in instrumentation to monitor the DO below  
4 the dams and above the dams in both places. And we're going  
5 to start actually monitoring it June 1st and monitor it 24  
6 hours a day, seven days a week through September 30th. Once  
7 we do that this year then we'll sit down and see what kind  
8 of information we got. And if there's a problem then we'll  
9 sit down with IDEM and the Indiana DNR and U.S. Fish and  
10 Wildlife and try to come up with a way to cure that problem.

11 Fish and mussels, NIPSCO is working with resource  
12 agencies to arrive at mutual agreed solutions to upstream  
13 passage, downstream passage, they issue trade -- and Unionid  
14 mussel issues. So we're working with the agencies to, on  
15 these items and that's part, right now we're in negotiations  
16 with them.

17 Recreation again, part of recreation is what we  
18 maintain in the lake, what we propose to maintain the lake  
19 at. And we're developing and implementing a recreation  
20 management plan and update the plan every six years in  
21 conjunction with FERC Form AD to ensure recreation needs are  
22 met. And probably when we do that we'll work with the  
23 different agencies to make that plan.

24 I think I'm done, Leslie.

25 MS. SMYTHE: Okay, we're getting faster and

1 faster.

2 MR. HINDSLEY: I didn't have as many jokes today.

3 MS. SMYTHE: Okay, a couple of things. Right now  
4 I think we're going to go over the, I mean a very, very  
5 brief description of the resource issues just basically  
6 saying what are quality fisheries. But I think we might  
7 want to elaborate a little bit on that so you have an idea  
8 of the scope that we're currently thinking about getting  
9 into, our environmental assessment.

10 The next phase, when we open up to questions,  
11 there's a few things I should point out real quick now and  
12 I'll point them out again. Sitting here is our court  
13 stenographer. He is recording everything that is said, all  
14 the presentations that have been made and all materials that  
15 are given in to FERC are made part of the public record. So  
16 anything that you say here today or give us in writing is  
17 transparent to the public and accessible. So make sure  
18 understand how that's done.

19 Right now I guess we'll start with Lee. He's  
20 going to go through, if you look at, pick up the scoping  
21 document and go to Section 5.

22 MR. EMERY: If you don't have it, that's fine  
23 too. You can just listen.

24 MS. SMYTHE: If you don't have it, but these are  
25 the basic issues that we've already identified before going

1 through this scoping exercise just from reading the  
2 applications. And we want --

3 MR. EMERY: And as we go through I have a couple  
4 questions I want to ask.

5 MS. SMYTHE: This is your chance to do some give  
6 and take on whether we're on the right track.

7 MR. EMERY: And I have the bulk of them, so I  
8 hope you can hear me all right. I'm not going to use the  
9 speaker, but. Now these are the items or resource issues  
10 we've identified early on as we reviewed the application and  
11 all the letters and everything that's come in to us. And  
12 this is our best guess as of April 21st of this year.

13 Now the applicant is working on the various  
14 entities on a settlement and so some of these things may  
15 change. There may be some new stuff come in and there may  
16 be something taken away, tweaking perhaps. But these are  
17 the items we've identified at this point in time.

18 And I'll go first under water use and  
19 quality/quantity. And I'm going to ask a question before I  
20 start. And that would be I talked to the, I think it was  
21 Twin Lakes area SFLECC yesterday about identification of the  
22 three, the three points were sewage outfalls enter the  
23 system. And I got those identified on a map.

24 What I didn't get is an approximate estimate of  
25 what the ethylene amounts might be. Are you talking about a

1 million gallons, 500,000 gallons. I don't know if anybody  
2 out here knows that. But if you do, I'd appreciate that or  
3 a ballpark figure.

4 Certainly we can contact the city of Monticello  
5 and ask them approximately what their discharge is. But  
6 there was two other besides the Twin Lakes that was using,  
7 we probably could contact them directly. But I never know  
8 who's in the audience and maybe somebody here has a flavor  
9 for me. If so, speak up. If not, we'll try to do something  
10 of that. Maybe the applicant can help me get that  
11 information too. Because we do, we talked about water  
12 quantity, quality and use of the water resources by this  
13 project and how the project may or may not interfere with  
14 these use.

15 Okay, we'll I'll go on. We've got four bulleted  
16 items for water resources under water use and quality. One  
17 of them was the effects of project operations on shoreline  
18 erosion and sedimentation in the reservoirs and downstream  
19 from the dams.

20 I saw one piece yesterday at Oakdale, below  
21 Oakdale I saw some erosion. But for the most part what I  
22 have seen going around each of the reservoirs, or a big  
23 portion of the reservoir and below Norway, I didn't see much  
24 signs in the way of erosion. But that's one item we'll be  
25 looking at, erosion caused by the project.

1           The second bullet we have here is the effects of  
2 project operations and proposed environmental measures on  
3 the compliance with state water quality standards. The  
4 water quality certificate has been issued for this project.  
5 They will have to meet exactly all those requirements that  
6 are stated in that water quality certificate. We are FERC,  
7 those are mandatory conditions. When the state says you put  
8 these in, we put them in and they have to be abided by.

9           The third bullet I have is the effects of project  
10 operations on temperature and DO levels in project  
11 reservoirs and then project effective stream reaches below  
12 each dam. We're got the study. It starts in about 18 more  
13 days, June 1st. It goes through September 30th that we're  
14 looking at dissolved oxygen levels in the reservoir and  
15 below the outfalls at both developments. That's going to be  
16 very helpful for knowing what's going on there particularly  
17 during these summer months when you can have lags or fall-  
18 offs of DO levels below the projects.

19           And then the last item I have is the effects of  
20 the project operations on ongoing water quality activities  
21 underway by the Twin Lakes Regional Sewage District. Yes, I  
22 understand that you've put many of these residences that  
23 were under a septic system under a sewage system and it's  
24 got to be a positive influence and a positive factor on  
25 water quality in these lakes.

1                   But those are the four items that I have or we  
2                   have identified under the water resources group. Any  
3                   questions, comments, additions, ideas, something we've  
4                   missed, any reports that you're aware of or studies that we  
5                   should be aware of? I've asked one fellow already this  
6                   morning for a sediment study, some information on that that  
7                   they've conducted. Is there anything else that we've  
8                   missed? Or any studies that we should be aware of or any  
9                   particular idiosyncracies concerning the projects and water  
10                  quality? Yes, sir. And state your name and affiliation for  
11                  the record.

12                 MR. JOHNS: I'm Daryl Johns with the Shafer Lakes  
13                 Environmental Conservation Corporation. And I spoke a  
14                 little bit last night about what we can lose regarding the  
15                 shoreline and management and so forth.

16                 We're also involved in the bridge project  
17                 from Shafer and Lake Freeman. We've done a lot of silt  
18                 traps. There's been funding set aside to hopefully maintain  
19                 those silt traps.

20                 But the point I wanted to make today is the water  
21                 quality could be greatly improved, in my opinion, if we  
22                 could do more dredging. Studies were done several years ago  
23                 that Lake Shafer itself had lost almost a third of its water  
24                 capacity, holding capacity. And that helped target us to  
25                 get some state funding to do some dredging.

1           However, we were only doing the minimum amount of  
2 dredging to get maybe six foot of waterbeds throughout Lake  
3 Shafer. However, that does not bring the lake back to its  
4 natural state. And if we could possibly encourage the  
5 general government to get involved in this project and give  
6 us additional funding to do the additional dredging perhaps  
7 Lake Shafer and Lake Freeman would be the quality one would  
8 be in favor of.

9           MR. EMERY: Okay, thanks. We'll consider the  
10 comments. Anybody else think of anything you want to add to  
11 what we've identified to this point in time in water  
12 resources?

13           Okay, if not, we'll move on to the second thing  
14 and that's the aquatic resources. And I say aquatic because  
15 that included the fish and the mussels and clams and that  
16 sort of thing.

17           The first one we have are the effects of project  
18 operations on aquatic resources in the reservoirs and in the  
19 Tippecanoe River downstream of the project developments,  
20 including any state, federally listed threatened, endangered  
21 or sensitive fish and mussel species.

22           The second would be the assessment of the  
23 projectability to meet Americans with Disabilities Act. I'm  
24 sorry, wrong spot here.

25           The second one is the effect of project

1 operations on in stream flows and aquatic resources  
2 downstream of each project development including during  
3 reservoir draw downs or refills for maintenance work or for  
4 other purposes.

5 And then we have the effects of project  
6 operations on fish entrainment and turbine mortality. We  
7 have the effect of project operations on restricting the  
8 current upstream movement and passage of fish and whether  
9 there's a need for any future fish passage at the project.

10 And another one is the effects of the project  
11 operations on aquatic resources from the proposed recurring  
12 five year alternative study for lowering reservoir levels.

13

14 Now again, some of these things are going to be  
15 tweaked via the settlement that's going on and so we know  
16 there's an issue with draw downs and repair, that kind of  
17 thing. We don't know what the exact flavor will be yet, but  
18 don't worry, we're using this as our strong man, if you  
19 will, to start the analysis. There may be a reduction in  
20 the frequency in timing and that sort of thing on the --  
21 repair.

22 The next to last bullet is the effects of project  
23 shutdowns, emergency or planned, on aquatic resources  
24 located in the project's affected streams immediately below  
25 the dams or in the reservoirs.

1           And the last one would be the effects of project  
2 operations on the seasonal sewage to facilitate fish passage  
3 and measures to reintroduce mussels via inoculated host fish  
4 to river reaches above Lake Shafer. And that's been  
5 modified to probably direct, reintroduction of mussels  
6 rather than using a host fish.

7           Now I have several questions for the resource  
8 agencies in the arena fishery, but I want to see if the  
9 public has any additions or subtractions or thoughts or  
10 ideas or sources of data for me for strictly resources at  
11 this time, if I've captured what we think these impacts are  
12 going to be on the aquatic resources; fish and mussels.

13           Okay, then seeing none, I have a couple questions  
14 I want to ask to the resource agencies. The Fish and  
15 Wildlife is no here so I guess it would be the IDNR. And  
16 that would be, I'm not putting you on the spot either, it's  
17 just that some questions and you can say something if you  
18 like or provide it in writing if you like. But here's a  
19 couple of my questions.

20           And one would be, there's been major efforts made  
21 on these lakes over the years. I've seen where the largest  
22 fish, stripers, striped bass, hybrids and white bass have  
23 been caught in or near these reservoirs or below the dams.  
24 And there's been, I read in some local information in the  
25 application that over the years, beginning around 1983 or so

1       you begin stocking small frye of striped bass hybrids in the  
2       reservoirs.  And that's continued, as I understand, to the  
3       present day.  And I'd like to get a handle on some  
4       information about these stockings; the numbers of fish,  
5       where they're stocked, the size of the fish, the frequency  
6       of stocking, kind of a history on the stocking of these  
7       fish.  And I know there's been the striped bass and I think  
8       there's also been an occasional or sometimes walleye, so I'd  
9       like to know about those, the same kind of information on  
10      walleye.

11                   And then related to that what would be the  
12      state's management plan, if any, for these reservoirs?  They  
13      stock all these fish in there.  Do they have a follow up to  
14      see how they're doing or is it census or surveys or whatever  
15      to see how these stockings have performed?

16                   And let me just stop there for a second before I  
17      go on to my other couple questions.  And that would be any  
18      response from IDNR on that?

19                   MR. DEVANE:  Yes.

20                   MR. EMERY:  State your name.

21                   MR. DEVANE:  My name is Neil Devane and I'm a  
22      fishery -- with the Indiana DNR.  I'm one of a very small  
23      handful of individuals who works on some of the FERC issues  
24      in the state, -- projects and we are not set up full time to  
25      address all of FERC issues.

1                   We have had a pretty extensive stocking program  
2                   on this FERC-Shafer agreement impoundments. Some of those,  
3                   as you mentioned, dated back to the early 1980's when the  
4                   hybrid striped bass stocking began. We also picked up a  
5                   good walleye stocking program in the early 1990's, including  
6                   both Lake Shafer and Freeman.

7                   But the list of our historic stocking for this  
8                   body of water was in one of our initial letters,  
9                   in the consultation page. And we can get that.

10                  MR. EMERY: If you can provide another one it  
11                  would be great, great for us.

12                  MR. DEVANE: We'll update that because it only  
13                  went through one stocking, so we can update that.

14                  MR. EMERY: Super. Do you give sizes of fish as  
15                  well and numbers?

16                  MR. DEVANE: It has all the numbers. It lists  
17                  most of these as fingerlings, most of those are the one and  
18                  a half inch size. We did make a couple of -- stockings  
19                  early on with the walleye and four or five other fish.

20                  MR. EMERY: Anything other than the wipers and  
21                  walleye that have been stocked?

22                  MR. DEVANE: Well, there has been an occasional  
23                  stocking of bass and, you know, in the historic introduction  
24                  of northern pikes way back in 1978.

25                  MR. EMERY: Okay, all right, and that's all

1 contained in your report?

2 MR. DEVANE: Yeah.

3 MR. EMERY: That you're going to send us?

4 MR. DEVANE: As I said, we can update and add it  
5 and get that to you directly.

6 MR. EMERY: Okay.

7 MR. DEVANE: And we do also angler -- surveys on  
8 these bodies of water. The last one that was done was last  
9 season. I'm not sure if that final report is available yet,  
10 but I can check on that also. MR. EMERY: Was there  
11 one before that?

12 MR. DEVANE: There's been a couple different  
13 surveys, real surveys on --

14 MR. EMERY: That would be helpful for us, again,  
15 to provide that picture of the fishing and what's happening  
16 in these reservoirs, if you could provide that as well?

17 MR. DEVANE: That's fine, we'll be sure to do  
18 that.

19 MR. EMERY: Okay, what other question did I have.  
20 Oh, follow up management, success of these planning. Do you  
21 do any follow up?

22 MR. DEVANE: They've been fairly successful, but  
23 stripers, or the hybrid stockings have been pretty  
24 successful. Where we've seen a lot of the -- back today --  
25 fisheries and all of these dams. For us, and a lot of fish

1 managers these flow through type of impoundments are really  
2 a tough place to lay the fish. We're talking about an area  
3 that doesn't really fit, very good river habitat situation  
4 or a very good reservoir or lake situation. So we're kind  
5 of caught in the middle of this. It's not, what we're  
6 seeing here on Freeman is similar to what we've seen on --  
7 in other counties. It's kind of a tough place for us to,  
8 you know, to try to provide that quality fishing experience.

9 MR. EMERY: It seems like there might be a  
10 conflict of recreational use too. There's other boaters  
11 that may want to use the same bodies of water.

12 MR. DEVANE: Well, I'm sure there is some of that  
13 that takes place. And these, you know, these impounds when  
14 they were constructed, you know, we gave it really high  
15 quality river sections to do this.

16 You know, on the other hand, you have some  
17 boating and recreation in this area that the state would  
18 have never had before.

19 MR. EMERY: Right.

20 MR. DEVANE: So, from a resource agency, we being  
21 a fisheries guide, I can make the trade. You know, we're  
22 looking for that balanced investment. Hopefully everybody  
23 else is too.

24 MR. EMERY: Okay, I had no other questions for  
25 you. Thank you, that's good stuff. There's been some

1 mention of upstream and downstream passage of fish. Can you  
2 provide for me the status of what the Asian Carp is, how far  
3 up it's moved from the Wabash, if any, into the Tippecanoe?

4 MR. DEVANE: I'm sorry --

5 MR. EMERY: Asian Carp, has the Asian Carp moved  
6 into the Tippecanoe, to your knowledge, yet?

7 MR. DEVANE: I don't think we've seen them there.

8 MR. EMERY: They're in the Wabash system though,  
9 aren't they?

10 MR. DEVANE: We've seen some in Wabash, yes,  
11 especially the low region.

12 MR. EMERY: Okay. There was some mention about  
13 upstream and downstream. Maybe that was Fish and Wildlife  
14 Services and not you, but if there were downstream movement  
15 of fish species, what species would it be for? If there,  
16 would there, were there to be some tweaking, let's say, of  
17 operations to try to facilitate a downstream movement of  
18 fish. If that's not your question, I mean your concern,  
19 okay, it may have been Fish and Wildlife Service, but I  
20 wanted to ask it of you.

21 MR. DEVANE: That did come up in some of the  
22 discussions. You know, as dealing somewhat with the  
23 entrainment issues, and we have a few projects that we've  
24 followed and looked at in the state. And we've seen a bit,  
25 a couple of narrow windows, for instance, from walleyes that

1 get disbursed and move out of the system. And we were  
2 thinking that maybe that might be an option. Historically -  
3 - fish, what to do down stream, and maybe using a small --  
4 or something like that, as just a passage to help protect  
5 their food. Don't we, I don't think we've gone really very  
6 far, you know, past that discussion.

7 MR. EMERY: Okay, you know, we, this agency, you  
8 have to do the trade offs and everything; what's power,  
9 what's the resources, what's the public good and that kind  
10 of thing. Moving some fish downstream could be a power loss  
11 if you turn off the power you can't generate during that  
12 period of time, depending on what the window looks like.  
13 What's the best bang for the buck if you will. You know,  
14 you spend thousands of dollars for a two week shutdown for  
15 800 fish. You know, we look at all of that kind of stuff in  
16 the analysis of resource effects.

17 MR. DEVANE: Right, I appreciate that.

18 MR. EMERY: Okay, let me see, before you sit I  
19 want to see if I have one other thing here. We met one of  
20 your cohorts out there yesterday. It was a wonderful day.  
21 We got the good field trip and you get the rainy day. But I  
22 think that's it for the fisheries questions that I had for  
23 you.

24 Providing us that -- report should be very  
25 helpful. Learning the status of the Asian Carp is helpful

1 because obviously putting in something in the way of an  
2 upstream fish passage may be a negative effect by expanding  
3 the passage of the Asian Carp upstream, I would think.

4 All right, then my, oh, any other question?  
5 Maybe I stimulated some questions from anybody in the  
6 audience regarding aquatic threshold resources?

7 One last questions, IDNR, any awareness of  
8 specific state endangered fish or mussels in the area?

9 MR. DEVANE: Yeah, that's also included in that  
10 initial letter. We'll make sure you that those copies are -  
11 -

12 MR. EMERY: Great, all right.

13 MR. DEVANE: And we do have the endangered  
14 mussels. And that's part of the reason that we're, you  
15 know, concerned with the issues of draw downs and how water  
16 is used to facilitate.

17 MR. EMERY: Okay, the DO is going to provide a lot  
18 of help for us as well to see what effects are in terms of  
19 dissolved oxygen below these projects.

20 MR. DEVANE: Well the DO -- I think there was  
21 just the one area or two --

22 MR. EMERY: Oakdale, Oakdale seems to be the  
23 biggest concern in terms of what numbers looked like before.  
24 But we'll know for sure now with the actual data coming in.  
25 Okay, thank you.

1           The last item that I have for this is the TE, the  
2           threatened and endangered species grouping. And I have four  
3           bullets for that. And one would be the effects of project  
4           operations on the rare or threatened or endangered or  
5           special status species or critical habitat. That's one  
6           thing we'll be looking at, these projects effects.

7           The other is the effects of projects on the bald  
8           eagle. I heard reference there's some bald eagles around  
9           here. Anybody have anything to provide for me on that?  
10          Yes?

11                  MR. JOHNS: I just know that --

12                  MR. EMERY: Your name, I don't know if he  
13                  remembers it or not.

14                  MR. JOHNS: Daryl Johns. My administrative  
15                  assistant lives down on the Tippecanoe River down in  
16                  Tecumseh Bend area and they have sightings down in that area  
17                  all the time, three to four.

18                  MR. DEVANE: How far is that south of the  
19                  project, Tecumseh Bend?

20                  MR. JOHNS: Three miles, two miles, farther than  
21                  that, it would be five.

22                  MR. DEVANE: Okay, three to five miles or so.  
23                  Thank you for providing that.

24                  The effects of project operations on the  
25                  federally listed endangered Indiana bat. We could look at

1 what the effects might be, if any, on that species.

2 And then the last one, the effects of the  
3 projects on federally listed unionid mussel species and the  
4 federal species of concern.

5 Stimulate any thoughts, comments, ideas, on  
6 whether we hit the ball park here on things to look at for  
7 the aquatics and fish and water quality stuff?

8 Yes, sir? Identify yourself so the reporter will  
9 know.

10 AUDIENCE MEMBER: Unionid, what does that word  
11 mean?

12 MR. EMERY: Unionid, just a class of mussels.  
13 Unionid.

14 AUDIENCE MEMBER: Are they --

15 MR. EMERY: No, they're pretty small for the most  
16 part. It's not bad if you can eat it. No, but they're just  
17 some small mussels, a class or grouping.

18 AUDIENCE MEMBER: The ones in Lake Michigan?

19 MR. EMERY: No, you're thinking of the zebra  
20 mussels or something. No, it's not a zebra mussel, that's a  
21 bad one. You know, bad and good becomes relative because of  
22 the tremendous abundance of zebra mussels in Lake Erie have  
23 cleaned the water so it's unbelievably clean.

24 But, any other comments, questions, on my  
25 resource areas? Fish, aquatics, water quality?

1                   Okay, thank you for your input.

2                   MS. HOLSOPPLE: Next is the terrestrial resources  
3                   and there's four bullets underneath that. But they're kind  
4                   of all repetitive, so I am going to make them one sentence.  
5                   And I know Fish and Wildlife isn't here but maybe IDNR has  
6                   some insight into these bullet lists.

7                   We're going to be looking at the effects of  
8                   project operations and facilities on wildlife species and  
9                   habitats, on vegetation, on the establishment and spread of  
10                  noxious weeds and exotic plants and on wetlands and riparian  
11                  and littoral vegetation around project facilities and  
12                  reservoirs.

13                  That's what we've identified thus far as major  
14                  points that we might cover in our environmental analysis.  
15                  Is there anything that anyone would like to speak on behalf  
16                  of those or add to?

17                  MR. EMERY: Any Purple Loostribe? I didn't see  
18                  any when I was out there wandering around the last couple of  
19                  days? Any in this area, Purple Loostribe? We tend to have  
20                  some problems with that in some of our hydro power projects,  
21                  but nothing here, right? A purple flower, long stem?

22                  MR. JOHNS: I believe there is some.

23                  MR. EMERY: You think you've see some?

24                  MR. JOHNS: Yes.

25                  MR. EMERY: Do you know which areas have you seen

1 it? Lake Freeman? Lake Shafer?

2 MR. JOHNS: Shafer.

3 MR. EMERY: Lake Shafer?

4 MR. JOHNS: Part of Lake Shafer.

5 MR. EMERY: Upper part of Lake Shafer. Lock, a  
6 small, small grouping? Large groupings? Whole wetlands?  
7 Individual species?

8 MR. JOHNS: I'm not a specialist on Purple  
9 Loostrife.

10 MR. EMERY: Nor am I, but I'm just trying to, you  
11 know, for the record just trying to, small quantities.

12 MR. JOHNS: In comparison to what I've heard from  
13 other lakes it's probably a small quantity.

14 MR. EMERY: Okay.

15 MR. JOHNS: But now is the time to address the  
16 small before it gets out of hand.

17 MR. EMERY: Sure, sure, okay.

18 MS. HOLSOPPLE: Thank you, Daryl. Lee covered  
19 T&E species, so I'm going to move on to recreation  
20 resources. And there are three bullets underneath that  
21 topic.

22 And the first one is adequacy of the proposed  
23 recreation management plan to provide for public recreation  
24 in the project area, specifically public access. And I know  
25 NIPSCO working with the state agencies as well as SFLECC.

1                   MR. EMERY: Do you have an acronym. Do you call  
2 yourself SFLECC?

3                   AUDIENCE MEMBER: That's it.

4                   MR. EMERY: Is it? SFLECC?

5                   AUDIENCE MEMBER: That will work.

6                   MS. HOLSOPPLE: It sounds like Afleck. So I know  
7 that the applicant is involved in, not so much negotiations,  
8 but just discussing how to manage that. And I know that  
9 Daryl, you said last night that the, your corporation has  
10 some guidelines that you use in recreation management that  
11 you're going to provide those to the commission, so that  
12 will be helpful.

13                   But does anyone else have anything in regards to  
14 the recreation management plan that's being currently  
15 proposed?

16                   MR. JOHNS: We just have one issue and that has  
17 to do with the project boundaries. And we are able to  
18 manage the areas, parts of the lake for people who abut our  
19 property or have to cross our property. There are areas of  
20 the lake that people do not have to cross our property on in  
21 order to get, there are recurring ruts you might say.

22                   There's also a state law on our books that says  
23 DNR cannot manage city properties. So there's part of both  
24 Lake Shafer and Lake Freeman that fall under no one's  
25 control. And you're going to have to do the shoreline

1 management.

2 MR. EMERY: But just within the bathtub ring of  
3 the project boundary?

4 MR. JOHNS: Yes, sir. So we feel that that issue  
5 needs to be addressed somehow so that everyone along both --  
6 are treated equal and have to follow the same guidelines.

7 MS. HOLSOPPLE: Okay, I see. The next bullet is  
8 the assessment of the project's ability to meet Americans  
9 with Disabilities Acts Standards. And FERC does not enforce  
10 ADA or make an applicant make their public facilities ADA  
11 compliant. However, we do recommend it. So we will be  
12 looking at that aspect.

13 MR. EMERY: Can I add, what is the status of, you  
14 know, you're from around here, the current numerous public  
15 access sites, are they available for ADA folks? Do you  
16 know?

17 MS. HOLSOPPLE: Are they handicapped accessible?

18 MR. EMERY: Come on, there must be some boaters  
19 in this room, isn't there? Applicant, somebody?

20 MS. FOREMAN: The last site that we lived in had  
21 -- parking space.

22 MR. EMERY: Did it? That was down on Lake  
23 Freeman, wasn't it?

24 MS. FOREMAN: Yeah.

25 MR. EMERY: Okay.

1                   MR. DEVANE: Neil Devane again. You know, for  
2 the record, NIPSCO isn't really, you know, a good neighbor  
3 to some people around here that use them, these waters. You  
4 know, they've made different parks available for access  
5 sites, including the sites that the state can develop. When  
6 we get a site we try to include the ADA launching facility  
7 or a facility to get people who need, get into a -- ADA  
8 fishing areas. So, you know, the state is trying to do that  
9 --

10                   An option would be -- we would certainly like to  
11 see, you know, better boating launches, facilities on the  
12 impoundments, you know, we discussed these types of options  
13 -- and truthfully, NIPSCO is a little ahead of the game on  
14 it, to come back with some of the different -- and quite  
15 frankly we just haven't had the time to sit down with them  
16 and work out perhaps some of the other details. But we  
17 really are interested in pursuing, you know, this type of  
18 access, you know, improvements, we're aware of the  
19 opportunities around us.

20                   MR. EMERY: There's sufficient access now, just  
21 that you see some improvement needed?

22                   MR. JOHNS: Well, that's relative, I guess, you  
23 know, depending on which direction you're looking. Again,  
24 hardly any boating facilities, you know, public boating  
25 exercised, you know, on the -- itself. So we would like to

1 see that changed. -- usage areas and things like this, what  
2 could be or should be provided, you know, here we're talking  
3 about a 30 or 40 year period. That's a long time for us.  
4 And it's time for the resource agencies to speak up and  
5 fight these ideas and help set a direction. We're looking  
6 to try to maintain and improve -- as far as -- this area.

7 MR. EMERY: The last couple of days I've seen a  
8 lot of fisherman using quite heavily the Tailrace area.

9 The other question or comment, you made mention  
10 that there's been a lot of sharing and things with the  
11 applicant donating property and working with you on various  
12 things. Would you have a map identifying where all of these  
13 pieces are on the two reservoirs?

14 MR. JOHNS: The reservoirs are very limited,  
15 those tailwater areas.

16 MR. EMERY: Yeah, I saw the one downstream from  
17 Norway, for example, yesterday. But I didn't know if there  
18 was any other ones around.

19 MR. JOHNS: I'm trying to think. I don't work in  
20 this area all the time, so you've got me at a little  
21 disadvantage. But on the upper end of one of these  
22 reservoirs I'm sure somebody -- there are a couple of  
23 monstrous facilities that are, again, way upstream from  
24 where the main part of the --

25 MR. EMERY: Above project affected area, perhaps,

1       okay, thank you.

2                   MS. HOLSOPPLE:   And the last bullet under  
3       recreation would be looking at the effects caused by lake  
4       water level changes on various recreational uses; for  
5       example, beach facilities, swimming, boat launches, fishing  
6       -- et cetera.   And that's it for recreation.   Does anyone  
7       else want to further add more information?   Daryl?

8                   MR. JOHNS:   I'd just like to make one other  
9       comment.   We, as part of our management of the lakes, we  
10      hire a summer works crew, usually college kids for a while  
11      and they pick up floating debris, floating hazards, things  
12      like that.

13                   However, I don't have access to that crew until  
14      late May, but all winter long and early spring there is a  
15      lot of trash that collects at the dams and we feel like  
16      maybe NIPSCO should look into collecting that material at  
17      the dams before it's allowed to enter through the trash  
18      gates and --

19                   MR. EMERY:   Currently, it's my understanding that  
20      the debris that's not biodegradable, the plastic and other  
21      things like that would be removed, but the other things  
22      would be passed downstream, the logs and some of the twigs  
23      and debris material would be passed downstream.

24                   MR. JOHNS:   A lot of logs.   A lot of trees that  
25      come down.

1                   MR. EMERY: Right, well the bigger logs, I think  
2 are burned and disposed of on site, aren't they?

3                   MR. HINDSLEY: A little clarification there, you  
4 know, when most of this is coming and when it's flooding,  
5 the flood gates open and it goes right on through.

6                   MR. EMERY: Okay, yeah.

7                   MR. HINDSLEY: You know, and you got big trees,  
8 you got plastic, you got everything at this, you know,  
9 probably 90 to 95 percent of the trash goes through the  
10 flood gate during a floor. So yes, you have big trees. You  
11 have plastic. You have, you know.

12                  MR. EMERY: Okay, thank you.

13                  MR. JOHNS: We're just saying that if it's  
14 captured they why can't it be addressed?

15                  MR. EMERY: Okay.

16                  MS. HOLSOPPLE: Thank you, we'll make note of  
17 that. The next resource area is land use and aesthetics.  
18 And there's only one bullet under that topic which says,  
19 we'll be looking at the consistency of the proposed action  
20 and alternatives with Shafer and Freeman Lakes Environmental  
21 Conservation Corporation and Shoreline Management Practices.  
22

23                               And again, you providing your guidelines will  
24 help us better clarify that resource and see how the  
25 shoreline management that's currently going on relates to

1       what you're trying to attempt to make better and anything  
2       that maybe we could identify for NIPSCO to better help the  
3       shoreline management issue.

4               MR. JOHNS:  NEPA is supplying that directly to  
5       you?

6               MS. HOLSOPPLE:  Not to me.

7               MR. JOHNS:  Because I believe NIPSCO has already  
8       presented themselves in this.

9               MS. HOLSOPPLE:  Are they in your application?

10              AUDIENCE MEMBER:  They are, yeah.

11              MS. HOLSOPPLE:  Okay, then never mind what I've  
12       been saying for the past couple of minutes.  I will go back  
13       and find it myself.

14              MR. JOHNS:  I just wanted to know if I needed to  
15       do something --

16              MS. HOLSOPPLE:  No, if they're already provided  
17       for the docket then that will be sufficient, thank you.

18              And I also look at cultural resources and there's  
19       one bullet under there which says, the effects       of the  
20       proposed action and alternatives on properties that are  
21       included in or eligible for inclusion in the National  
22       Register of Historic Places.

23              And we really haven't talked too much about  
24       cultural resources the past couple of days, but I do know  
25       that the powerhouses and dams themselves might be eligible

1 for inclusion, and I know you have done some studies. So  
2 that's another item that we'll be looking at and if anyone  
3 has further information they'd like to provide now on  
4 cultural resources we'll take those. Otherwise that  
5 concludes the resource sections.

6 MR. JOHNS: I have one question.

7 MS. HOLSOPPLE: Sure.

8 MR. JOHNS: If the dams are designated historical  
9 sites what ramifications would that have and would that mean  
10 they could never be torn down?

11 MS. HOLSOPPLE: No, not necessarily. We do have  
12 some cases where a dam or powerhouse has been cited as  
13 possibly eligible for the National Register. And because of  
14 economic reasons and it's just not feasible to operate  
15 anymore, a dam has been torn down or a powerhouse has been  
16 torn down. But to kind of compensate for that maybe the  
17 applicant has provided some educational kiosks or something  
18 just to notify the public that a historic property once was  
19 here; here was a picture of it.

20 So it doesn't necessarily mean that in the future  
21 years they won't ever be torn down or that something won't  
22 happen. But we kind of work around that and well, maybe  
23 require the licensee provide some sort of compensation for  
24 tearing it down.

25 MR. JOHNS: Is there any guarantee that they

1 would never be torn down?

2 MS. HOLSOPPLE: No, I can't say that just now.

3 MR. JOHNS: Do you look at the economic impact of  
4 a circulation like that?

5 MS. HOLSOPPLE: Probably not in this  
6 environmental assessment because NIPSCO doesn't plan to tear  
7 their powerhouses or dams down at this point in time for  
8 this current license that they're applying for. So that's  
9 not an alternative.

10 Maybe if 20 years down the road they think that  
11 they need to tear them all down they will have to almost  
12 provide a license for surrender of those items to us. And  
13 then that is where we will do an environmental analysis on  
14 the proposal to tear something down. But for their proposal  
15 right now, which just clearly states they're going to  
16 continue to operate and maintain the projects as they  
17 currently are, that's not an alternative that we'll be  
18 assessing.

19 MR. JOHNS: Thank you.

20 MS. SMYTHE: Okay, if we have no more exchanges -  
21 -

22 MR. KLEUVER: I have one comment I wanted to  
23 mention. I'm Brian Kleuver, counsel for NIPSCO. Just to  
24 state the obvious, once concern, recognition obviously is  
25 NIPSCO doesn't put the trash in the lakes. So I think it's

1 important for everyone to understand that we need to have  
2 maybe a public education with the SFLECC and others who live  
3 on the shoreline can be aware and sensitive to that there's  
4 a cause and effect by putting trash into the lakes.

5 I also want to state that there could be a  
6 concern that if the community now deems NIPSCO to be a trash  
7 collector that there may be more trash put into the lakes.  
8 Bill has commented to me on several occasions that it's  
9 remarkable how some of the limbs that end up coming down and  
10 getting caught seem to have been perfectly severed and it  
11 would just be a concern that if that's put on our shoulders  
12 that there's going to be more trash, not less trash.

13 MS. SMYTHE: Noted.

14 MS. HOLSOPPLE: Thank you.

15 MS. SMYTHE: Okay, at the time of sign in one of  
16 the reasons we ask people to fill in these yellow sheets is  
17 in the event that someone actually wants to make a  
18 presentation to the group. Again, it will be recorded. And  
19 we had two people identify that they wanted to speak. And  
20 Daryl was the first one. I'm just going in the order in  
21 which you signed in. You've had a chance to say a few  
22 things. Do you still want to make a presentation?

23 MR. JOHNS: I believe all of my issues have been  
24 addressed.

25 MS. SMYTHE: Very good, good. And Neil Ledet,

1           you said you thought you might want to address the group?

2                     MR. LEDET: I was told to reserve your spot.

3                     MS. SMYTHE: There you go, do you still want to  
4 be heard?

5                     MR. LEDET: No, I think we've covered a lot of  
6 issues. I know they're going to be covered in a lot more  
7 detail. I would appreciate clarification for -- comments --

8

9                     MS. SMYTHE: Right.

10                    MR. LEDET: It's probably only --

11                    MS. SMYTHE: Okay, well I'll definitely proceed  
12 to that then. As I said, we're just, we're entering the  
13 scoping phase of our licensing process. And this continues,  
14 in the scoping document we describe in detail the kinds of  
15 things we would hope to receive from you in this process.  
16 It's in Section 3 of the scoping document. And we will keep  
17 open the possibilities for submitting anything in writing or  
18 on e-mail until the end of May.

19                    And that, you may notice, is a little conflict  
20 between what it says in the scoping document to what it said  
21 in the notice that we actually issued back in April. There  
22 we said the closure was 30 days after the notice which, or  
23 we said the end of May. In this one we say 30 days after  
24 the 21st of April, which would be the 21st of May. It's, in  
25 fact, the 30th of May. So you have another couple of weeks

1 or thereabouts to submit if you have anything in writing  
2 which you want to put to us.

3 And I think it's on page seven or eight we  
4 describe the addresses to be used if you're filing in hard  
5 copy. Hard copy we ask that you do this in eight copies. I  
6 know that sounds really excessive, but I'm told that the way  
7 FERC is structured that if you send only one copy, a hard  
8 copy, into the secretary's office it's not likely to get  
9 distributed to the people who need to see it in a timely  
10 fashion. And then we do have clocks all the way through  
11 this process, so that's why eight copies.

12 But if you're into e-filing one is fine. Just,  
13 and the procedures, again, are described on pages seven and  
14 eight in the scoping document.

15 So as far as schedule for here on in is  
16 concerned, we go through the scoping which closes at the end  
17 of May. We look at everything we've received, everything  
18 that's in, we'll go back over now the final license  
19 application much more carefully. We understand it's got  
20 more materials in there that what we appreciated the first  
21 run through. And anything else that you give us. And we  
22 will make an appraisal on whether or not we have enough  
23 information in all areas to proceed with our environmental  
24 analysis.

25 Sometimes, oftentimes, there will be some little

1 thing that we don't have enough on. We just need a few  
2 questions answered. If that's the case we issue what's  
3 called an Additional Information Request, an AIR. If we're  
4 going to do that on this project it will be probably next  
5 month in June. We don't anticipate a lot of those but if  
6 there are any they go directly to NIPSCO. They are given a  
7 finite period of time to turn that around, usually 30, 45  
8 days unless it's a study or something which is very rare at  
9 this stage of the game.

10 However, once we've gone through all of that and  
11 you, of course, are at liberty in the public domain and the  
12 agencies to keep contributing at that point as well because  
13 the procedure never really closes. But at some point we're  
14 going to reach the point where we figure we have enough  
15 information.

16 At this critical point we issue a notice of Ready  
17 for Environmental Analysis, that's an REA. And that one is  
18 very important because that signals the agencies that if  
19 they have any official terms and conditions, recommendations  
20 or prescriptions that they want to have incorporated into  
21 the license as articles that they have 60 days in which to  
22 produce those. And that clock is very strict. And we  
23 expect that our REA will go out in, towards the end of  
24 August, beginning of September of this year.

25 Then there's 60 days of the agencies to respond

1 and 45 days for NIPSCO to review those and either complain  
2 or accept or tweak and modify and say, you know, that's not  
3 realistic or we think we can live with that or you forgot  
4 about or whatever. And that brings a total of 105 days from  
5 when the REA is issued to the point where we start really  
6 crunching away in earnest on our environmental assessment.

7 We think we can have an EA on the street for you  
8 to review in March of next year. And I don't want to  
9 project any further than that because there's a lot of  
10 variables that could come into play. But, of course, the  
11 public and everybody else is able to react to the  
12 environmental assessment once it's open to the public.

13 Anything else I should be adding? If you look in  
14 there, the scoping document, you'll find you also have  
15 Carolyn's e-mail so you can always get to her. MS.

16 HOLSOPPLE: How nice.

17 MS. SMYTHE: Maybe it's Serban, maybe it's  
18 Sergiu's, but you've got contact information, the  
19 secretary's address. And, of course, anytime anything goes  
20 into FERC it becomes part of the public record, and on the  
21 eLibrary anytime.

22 And you can also register for eSubscription which  
23 says, if you want to know anytime anything is filed you can  
24 have that pop up on your e-mail to say there's been a new  
25 filing on the project number, which was mentioned before.

1       You just look up the 12514-000, make sure you put the 'P' in  
2       front and you will have immediate alert when anything is  
3       filed by anybody. So we will try to keep the whole process  
4       as transparent as possible and keep up as available as  
5       possible to you.

6                The mailing lists, right. At the back we have  
7       the current mailing list, Section 9 on the scoping document.  
8       These are people that have already identified they want to  
9       participate in this proceeding. If you signed in or if you  
10      write in, if you submit anything you will be added to this  
11      mailing list and you'll be part of the procedure. So, any  
12      questions?

13               Thank you very much for coming. It's been a nice  
14      few days and we look forward to your comments and have a  
15      good day.

16               (Whereupon, at 11:05 a.m., the meeting was  
17      concluded.)

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