

**FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426**

OFFICE OF ENERGY PROJECTS

**Project No. 13334-000
Mississippi Lock & Dam #3 Water
Power Project
FFP Project 31, LLC**

December 11th, 2008

**Mr. Daniel R. Irvin
FFP Project 31, LLC
33 Commercial Street
Gloucester, MA 01930**

Subject: Deficient Preliminary Permit Application

Dear Mr. Daniel R. Irvin:

This is in reference to your preliminary permit application filed on November, 2008, for the Mississippi Lock & Dam #3 Project No. 13334. In your application, you propose to study developing a project at this location, using hydrokinetic and very low head turbine generators. Your application is deficient and lacking some information required under the Commission's regulations, as outlined in 18 CFR §4.32, 4.37, and 4.81.

We are requesting that you file additional information that is required. Schedule A identifies the information that is lacking in your applications with a check mark and comment.

Your response should be filed with the Commission within 30 days of the date of this letter. You should include the proper corrections to clarify your proposals.

Please file an original and eight copies of the requested information with:

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

You should reference the corresponding project number for each filing.

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Thank you for your cooperation. Failure to provide this information may result in your application being rejected. If you have any questions regarding this letter, please contact me at (202) 502-6393.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony DeLuca', written in a cursive style.

Anthony DeLuca
Civil Engineer, EIT
Division of Hydropower
Administration & Compliance

Attachment: Schedule A

Schedule A

Project No. 13334-000

**APPLICATION FOR PRELIMINARY PERMIT
REGULATIONS
(Filed under 18 CFR §4.32, 4.37, & 4.81)**

SUBJECT	DEFICIENT	COMMENTS
Section 4.32		
A. Identify		
1. Every citizen, association of citizens, domestic corporation, municipality or state who has or intends to obtain proprietary right to the site.		
2. Any entity owning proprietary right as an applicant.		
B. Provide names and mailing addresses of entities affected or used by the project.		
1. Counties which the project is located.		
2. Cities, towns, or similar subdivision (5,000 people or more) within a 15-mile radius of the project dam.		
3. Irrigation districts, drainage districts or similar political subdivisions within the project area.		
4. Every other political subdivision in the project area applicant believes may be interested in, or affected by the project.		

Schedule A

Project No. 13334-000

SUBJECT	DEFICIENT	COMMENTS
<p>Sections 4.37/4.81</p> <p>1.A. Municipal Applicant</p> <p>1. Political subdivision or agency of a state.</p> <p>2. Competent under state law to engage in the power business.</p> <p>3. Submit evidence of</p> <p> a. copies of applicable state and local laws, or</p> <p> b. other appropriate legal authority.</p> <p>2. A. If competing application, contain:</p> <p> Proof of service of applicant of initial application.</p> <p>Initial Statement</p> <p>1. A. Location of project State, County, Body of Water</p> <p>2. A. Applicant Name, address, telephone number</p> <p> B. Agent Name, address, telephone number</p> <p>Exhibit 1</p> <p>1. A. Dams (Except Federal Dam) - For each dam</p> <p> 1. Type</p> <p> 2. Composition</p> <p> 3. Height</p> <p> 4. Length</p> <p> B. Penstock or other conduit</p> <p> 1. Length</p>		

Schedule A

Project No. 13334-000

SUBJECT	DEFICIENT	COMMENTS
<p>Boundary</p> <p>6. Information demonstrating the manner that the proposed project would develop, conserve, and utilize in the public interest water resources of the region</p>		
<p>Exhibit 2</p> <p>1. A. Description of study Plan B. Description and location of new roads No new roads</p> <p>2. Work plan for new dam construction A. Description of field studies, tests, and other land disturbing activities B. Schedule for conducting studies A C. Environmental measures to minimize impacts</p>		
<p>Exhibit 3</p> <p>1. A. Estimated cost of the studies 2. A. Sources and extent of financing studies 3. A. Proposed market for the power generated B. Purchaser of the power generated</p>		
<p>Exhibit 4</p> <p>1. A. Map of the project B. Map showing the location of the project 1. Stream or other body of water</p>		

