

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Hollow Dam Power Company, Transferor) Project No. 6972
Ampersand Hollow Dam Hydro, LLC, Transferee)

JOINT APPLICATION
FOR APPROVAL OF TRANSFER OF LICENSE

Pursuant to Section 8 of the Federal Power Act (“FPA”), 16 U.S.C. § 801, and Part 9 of the Commission's regulations, 18 C.F.R. §§ 9.1 *et seq.* (2012), Hollow Dam Power Company (“Transferor”) and Ampersand Hollow Dam Hydro, LLC (“Transferee,” together with Transferor as the “Applicants”) respectfully submit this application for approval of the transfer of license for the Hollow Dam Hydroelectric Project (FERC No. 6972) (the “Hollow Dam Project”), from Transferor to Transferee. As discussed in Part I below, Applicants respectfully request expedited consideration for this Application and ask that the Commission adopt the shortest possible notice period.

I. REQUEST FOR SHORTENED NOTICE PERIOD AND EXPEDITED CONSIDERATION.

Applicants respectfully request expedited consideration of this Application and ask that this Commission grant the shortest possible notice period and issue an order as soon as possible after the notice closes. Expedited Commission action will allow Transferee to assume operational responsibility in order to plan and implement important capital expenditure projects. The Hollow Dam Project consists of two units, one of which is currently not operating. The Transferee determined that this unit’s generator may need to be rewound, in addition to an overhaul of the project’s control/switchgear system. These investments are critical in preparing the Hollow Dam Project for full operation during the fall season.

II. INFORMATION REQUIRED BY SECTION 131.20 OF THE COMMISSION'S REGULATIONS.

Pursuant to the Commission's regulations at 18 C.F.R. §§ 9.1 *et seq.* and 18 C.F.R. § 131.20, the Applicants make the following showings in support of this Application:

1. Transferor is the licensee under the license for Project No. 6972 issued by the Commission on May 30, 1986.

2. Transferee is a New York limited liability company. Transferee is controlled by Ampersand New York Hydro, LLC ("ANYH"). ANYH is in turn controlled and managed by Ampersand Hydro, LLC ("Ampersand Hydro"). Ampersand Hydro is a Massachusetts limited liability company focused on the acquisition and operation of small scale renewable energy projects, particularly small hydro. A certified copy of the Transferee's Certificate of Formation is attached to this Application as Exhibit "A".

3. The Hollow Dam Project works consist of: (a) a 230 ft. long concrete dam, (b) two 450 kW submersible turbine/generator units and associated switchgear, (c) an intake structure, (d) a tailrace, and (e) a 1,250 kVA step-up transformer.

4. Transferee states that it is in compliance with all applicable state laws as required by Section 9(b) of the FPA.

5. The Transferee will submit certified copies of all instruments of conveyance whereby title to the Hollow Dam Project properties is conveyed from Transferor to it, upon completion of such conveyance if and when the Commission shall have given its approval to the proposed transfer.

6. Upon Commission approval of the proposed transfer, and upon completion of conveyance of the Hollow Dam Project properties to Transferee, Transferor will deliver to

Transferee and Transferee will accept and permanently retain all licenses and instruments and all maps, plans, specifications, contracts, reports of engineers, accounts, books, records, and all other papers and documents relating to the Hollow Dam Project described above (including all additions thereto and betterments thereof).

7. Transferor certifies that it has fully complied with the terms and conditions of its license, and that it has fully satisfied and discharged all of its liabilities and obligations thereunder to the date hereof, and obligates itself to pay all annual charges accrued under the licenses to the date of transfer.

8. Contingent upon the final written approval by the Commission of the transfer of the license, Transferee accepts all the terms and conditions of the said license and the FPA, and agrees to be bound thereby to the same extent as though it were the original licensee thereunder.

9. The name, title, and address of the person or persons to whom correspondence in regard to this application shall be addressed as follows:

Transferor

Hollow Dam Power Company
Peter Howe
c/o SilverStreet Hydro
15 East Silver St
Westfield, MA 01085
(413) 562-1266

Transferee

Ampersand Hollow Dam Hydro, LLC
Lutz Loegters
c/o Ampersand Hydro, LLC
717 Atlantic Avenue, Suite 1A
Boston, MA 02111
(617) 733-7200

III. THE PROPOSED TRANSFER IS IN THE PUBLIC INTEREST.

Transferee is ready, willing, and able to operate and maintain the Hollow Dam Project as required by the Commission. The Hollow Dam Project is currently operating.

Ampersand Hydro is an experienced hydroelectric facility owner and operator through its subsidiaries. Ampersand Hydro invests in small hydroelectric plants, generally less than 25 MW

in size, located primarily in the United States and Canada. Ampersand Sebec Lake Hydro, LLC holds a license exemption for FERC Project No. 7253. Ampersand Gilman Hydro, LLC holds a license for FERC project No. 2392. Ampersand Mt. Ida Hydro, LLC holds a license exemption for FERC project No. 5465. Ampersand New Hampshire Hydro, LLC holds a license for FERC project No. 7410 through its subsidiary American Hydro Inc. – Peterborough. Ampersand Moretown Hydro, LLC holds a license for FERC project No. 5944.

For convenience, attached as Exhibit “B” is a draft public notice of this Application.

IV. CONCLUSION.

WHEREFORE, for the reasons stated above, Applicants respectfully request that the Commission approves the transfer of license from Hollow Dam Power Company to Ampersand Hollow Dam Hydro, LLC.

IN WITNESS WHEREOF, Hollow Dam Power Company has caused its name to be hereunto signed by Peter Howe, its Manager hereunto duly authorized this 23rd day of August, 2013.

Hollow Dam Power Company

c/o Silverstreet Hydro LLC

By: 

Name: Peter Howe

Title: Manager

VERIFICATION

State of Massachusetts
County of Hampden ss:

Peter Howe, being duly sworn, deposes and says that: he/she is the Manager of Hollow Dam Power Company and that he has read the foregoing application and knows the contents thereof; and that the same are true to the best of his knowledge and belief.

Dawn M Lam, Notary Public
(Signature)


Subscribed to and sworn to before me, a notary public of the State of Massachusetts, this 13 day of August, 2013.



Dawn M. Lam
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
MY COMMISSION EXPIRES 07/04/2019

IN WITNESS WHEREOF, Ampersand Hollow Dam Hydro, LLC has caused its name to be hereunto signed by Lutz Loegters, its PROJECT MANAGER, thereunto duly authorized this 10th day of ~~August~~ ^{September}, 2013.

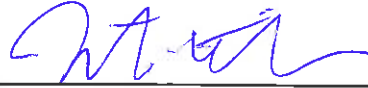
Ampersand Hollow Dam Hydro, LLC

By: 
Name: LUTZ LOEGTERS
Title: PROJECT MANAGER

VERIFICATION

City
State of Toronto
County of Ontario ss:
Province Canada

Lutz Loggers, being duly sworn, deposes and says that: he/she is the Project
Manager (Title of the person) of Sam + Yoko, LLC and that
he/she has read the foregoing application and knows the contents thereof; and that the same are
true to the best of his/her knowledge and belief.



(Signature)

Subscribed to and sworn to before me, a notary public of the Province Ontario
State of Ontario, this 10 day of September, 2013.

RED SEAL NOTARY INC.
25 ADELAIDE ST. EAST.
TORONTO ON M5C 3A1
(888) 922-7325
www.redsealnotary.com

Martin Elliot Wintraub
Barrister & Solicitor
Notary Public & Commissioner
For taking oaths in and for the Province of Ontario.
My commission is of unlimited duration.
No legal advice given.



Exhibit "A"

N. Y. S. DEPARTMENT OF STATE
DIVISION OF CORPORATIONS AND STATE RECORDS

ALBANY, NY 12231-0001

FILING RECEIPT

ENTITY NAME: AMPERSAND HOLLOW DAM HYDRO LLC

DOCUMENT TYPE: ARTICLES OF ORGANIZATION (DOM LLC)

COUNTY: STLA

FILED:07/25/2013 DURATION:***** CASH#:130725000441 FILM #:130725000411
DOS ID:4436086

FILER:

EXIST DATE

JULIE PERRY

07/25/2013

717 ATLANTIC AVE STE 1A

BOSTON, MA 02111

ADDRESS FOR PROCESS:

THE LLC

717 ATLANTIC AVENUE STE 1A

BOSTON, MA 02111

REGISTERED AGENT:

The limited liability company is required to file a Biennial Statement with the Department of State every two years pursuant to Limited Liability Company Law Section 301. Notification that the biennial statement is due will only be made via email. Please go to www.email.ebiennial.dos.ny.gov to provide an email address to receive an email notification when the Biennial Statement is due.

SERVICE COMPANY: ** NO SERVICE COMPANY **

SERVICE CODE: 00 *

FEEs 225.00

PAYMENTS 225.00

FILING 200.00

CASH 0.00

TAX 0.00

CHECK 0.00

CERT 0.00

CHARGE 225.00

COPIES 0.00

DRAWDOWN 0.00

HANDLING 25.00

OPAL 0.00

REFUND 0.00

DOS-1025 (04/2007)

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m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene - Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 C.F.R. §§ 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.