



September 21, 2009

Ms. Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

FILED ELECTRONICALLY

Subject: Status of the Chakachamna Hydroelectric Project (FERC No. 12660) and request to rescind the July 17 Pre-Application Document

Dear Ms. Bose,

On July 17, 2009 TDX Power, Inc. (TDX) filed its Notice of Intent (NOI), request to use a Traditional Licensing Process (TLP) and Pre-Application Document (PAD) for the Chakachamna Hydroelectric Project (FERC No. 12660). By letter dated July 27, 2009 Commission staff requested TDX resubmit its NOI and the Process Plan and Schedule; Commission staff had stated that the PAD would not have to be re-filed. At this time, TDX requests to withdraw the July 17 PAD. The PAD and NOI will be updated and resubmitted in 2010.

TDX makes this request in response to significant and ongoing efforts to reach consensus with stakeholders on the preferred licensing process for this project. This effort includes numerous meetings and conference calls in 2008 and 2009; most recently we met via conference call on August 18 to discuss feedback received from Commission staff. Results from this dialogue as well as stakeholders' own conversations with Commission staff have resulted in a sense that this Project may be best served by an Integrated Licensing Process (ILP). TDX appreciates the effort stakeholders have put into working through a selection of process and this communication will benefit all parties when the licensing effort is re-launched; however, the time invested in these communications means that there is insufficient time to initiate a quality formal study planning process for the 2010 field season.

With agreement on process near, TDX plans to implement a field season in 2010 prior to the initiation of the formal licensing process in order to begin key baseline studies that were identified in the PAD as "Phase 1" studies. Agencies will be invited to participate in study plan review and a workshop to refine these studies will be held in, approximately, February of 2010. With a late spring PAD and NOI submittal anticipated for 2010, formal study plan development will commence in the fall of 2010, with the benefit of new information developed in next year's studies.

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TDX believes that this request to withdraw the July 17 PAD and the plan to refile the PAD and NOI in 2010 will result in a more clearly defined formal licensing process and will reduce the need for requests to modify available licensing processes. The new schedule does not impact the long-term project schedule, as the previously intended two-phased formal study plan can still be accommodated with the planned 2010 field season. If you have any questions regarding this request, please contact Eric Yould at (907) 242-0487.

Sincerely,



Nicholas Goodman

TDX Power, Inc.

Cc: Distribution list (see attached)

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Distribution List †

Nolan Adams
noldog17@yahoo.com

J. Charles Ahlrichs *
MWH Americas Inc
2353 130th Ave. NE
Ste. 200
Bellvue, WA 98005-1759

Chuck Akers
Tyonek Corporation, AK Division
1689 C Street
Suite #219
Anchorage,, Alaska 99501.5131
cakers@tyonek.com

Joe Balash
SOA Office of the Governor
P.O. Box 110001
Juneau, AK 99811-0001
joe.balash@alaska.gov

Robin Beebee
Hydrologist
HDR, Inc.
robin.beebee@hdrinc.com

Cindy Benton *
CIRI
CIRI Lands
P.O. Box 9330
Anchorage, AK 99509-3330

Isaac Bertschi
isaactodd@gmail.com

Patricia Bettis
Water Resources Manager
Dept. Natural Resources
Mining, Land and Water
550 W. 7th Ave., Suite 1020
Anchorage, AK 99507
patricia.bettis@alaska.gov

Judith Bittner, SHPO
Office of History & Archaeology,
550 W 7th Avenue, Suite 1310,
Anchorage, AK 99501

Cynthia Bohn *
US Department of Interior
Fish and Wildlife Service, Ecological
Services
1875 Century Blvd. NE, Ste. 200
Atlanta, GA 30345-3319

John Blankenship
County Clerk
County of Kenai Peninsula
144 N Binkley St
Soldotna, AK 99669-7520
jblankenship@borough.kenai.ak.us

James Brady
Sr. Fisheries Biologist
HDR, Inc.
2525 C Street
Anchorage, AK 99503
james.brady@hdrinc.com

Philip Brna
Fish and Wildlife Biologist
US Fish and Wildlife Service
605 West 4th Ave., Rm. G-61
Anchorage, AK 99501
phil_brna@fws.gov

Debby Burwin
ADFG
debby.burwen@alaska.gov

Charlie Bussell
C.E.O.
Alaska Bussell Electric Company
1800 West 47th. Avenue
Anchorage, Alaska 99517
bussellel001@hawaii.rr.com

Debra Call
Knik Tribe
Knik Tribal Council
P.O. Box 871565
Wasilla, AK 99687
dcall@alaskanative.net

Thomas Cappiello
Alaska Dept. Fish and Game
Sport Fish
333 Raspberry Rd
Anchorage, AK 99518
thomas.cappiello@alaska.gov

Brian Carey
P.E.
AEA, AIDEA
813 W. Northern Lights
Anchorage, AK 99503
bcarey@aidea.org

Dan Chay
chay@alaska.com

Dorothy Cook
Eklutna Native Village
26339 Eklutna Village Rd.
Chugiak, AK 99567
nve@eklutna-nsn.gov

Jeffrey Corton
Cortonj@hotmail.com

† Service for this list was via email and US mail. Where noted with an *, an email address was unavailable and recipients received notification via US mail

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Page 4 of 8

Jennifer Curtis
NEPA Reviewer
US Environmental Protection Agency
222 West 7th Ave., #19
Anchorage, AK 99513
curtis.jennifer@epa.gov

Joan Darnell *
US National Park Service
Alaska Regional Office
240 W 5th Avenue Rm 114
Anchorage, AK 99501

John Dunker
john.dunker@alaska.gov

Mark Fouts
Manager, Corporate Planning &
Analysis
Chugach Electric Association
mark_fouts@chugachelectric.com

Steve Gilbert
Manager
Enxco
6921 Howard
Anchorage, AK 99504
steveg@enxco.com

Scott Houk
Natural Resource Specialist II
DNR
550 W. 7th Ave.
Anchorage, AK 99501
scott.houk@alaska.gov

James Keen
Regulatory Commission of AK
701 W. 8th Ave., Ste 300
Anchorage, AK 99501
james.keen@alaska.gov

Bob Dach
Hydropower Program Manager
US Department of Interior
Bureau of Indian Affairs
911 NE 11th Ave.
Portland, OR 97232
robert.dach@bia.gov

Bob Day
Manager of Power Production
HEA
3977 Lake Street
Homer, Ak 99603
bday@homerelectric.com

Timothy Evans
38275 Robinson Loop Rd.
Sterling, AK. 99672
timothy.evans@acsalaska.net

Laura Frazer
laurasusanfrazer@aol.com

Kirby Gilbert
kirby.gilbert@mwhglobal.com

SaraEllen Hutchison
Sustainable Communities Program
Manager
AK Center for the Environment
807 G Street, Ste 100
anchorage, AK 99501
saraellen@akcenter.org

Allen Kemplen
Area Planner
DOT & PF
4111 Aviation Avenue
Anchorage, AK 99519
allen.kemplen@alaska.gov

Michael Daigneault
Regional Supervisor
AK Dept of Fish and Game
Habitat
333 Raspberry Road
Anchorage, AK 99518
michael.daigneault@alaska.gov

Kevin Dunham
Supervisor, System Operations
Chugach Electric Association
361 W. 121st
Anchorage, AK 99515
kevin_dunham@chugachelectric.com

Jim Ferguson
Statewide Hydropower Coordinator
Alaska Department of Fish and
Game
Sport Fish
333 Raspberry Road
Anchorage, AK 99518-1565
jim.ferguson@alaska.gov

Carl Gamble
cgamble@iuoe302.org

Grier Hopkins
Legislative Aide
Alaska State Senate
1292 Sadler Way #314
Fairbanks, AK 99701
grier.hopkins@legis.state.ak.us

Sam Ivey
Alaska Department of Fish and
Game
samuel.ivey@alaska.gov

Thomas Kerns
PO Box 4042
Homer, AK 99603
tkerns@tundratech.net

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Page 5 of 8

Kimberly Klein
Habitat Biologist
Alaska Department of Fish and Game
333 Raspberry Rd.
Anchorage, AK 99518-1565
kim.klein@alaska.gov

Jan Konigsberg
Natural Heritage
Institute/Hydropower Reform
Coalition
7511 Labrador Circle Ste 100
Anchorage, AK 99502
jan@hydroreform.org

Brad Zubeck
Project Manager
Homer Electric/Kenai
280 Airport Way
Kenai, AK 99611
Bzubeck@HomerElectric.com

Ray Kreig
Chairman
Chugach Consumers
201 Barrow Street #1
Anchorage, AK 99501-2429
execdir@chugachconsumers.org

Mark Lamoreaux
Eklutna Native Village
Land & Environment Program
26339 Eklutna Village Rd.
Chugiak, AK 99567
nve@eklutna-nsn.gov

Chris Lausten
McGraw-Hill Construction Dodge
chris_lausten@mcgraw-hill.com

Tim Leach
President
MEA Ratepayers Alliance
P.O. Box 3666
Palmer, AK 99645
timkayaks@hotmail.com

Adele Lee
Natural Resource Specialist II
ADNR
550 W. 7th Avenue
Anchorage, AK
adele.lee@alaska.gov

Anne Leggett
Senior Ecologist
HDR, Inc.
2525 C Street
Anchorage, AK 99
Anne.leggett@hdrinc.com

Sasha Lindgren
Kenaitze Indian Tribe
slindgren@kenaitze.org

Kenneth Lord
USDOJ
Office of the Regional Solicitor
4230 University Drive
Suite 300
Anchorage, AK 99508-4650
Ken.Lord@sol.doi.gov

Frances Mann
Branch Chief Construction Planning
Assistance
USFWS
605 West 4th Ave., Room G61
Anchorage, AK 99501
frances_mann@fws.gov

John McClellan
P.E.
Tyonek Native Corporation
1689 C Street, Suite 219
Anchorage,
jmccllellan@tyonek.com

Betsy McCracken
Fishery Biologist
US Fish and Wildlife Service
Conservation Planning Assistance
605 W. 4th Avenue
Anchorage, Alaska 99501
Betsy_McCracken@fws.gov

Paul McLarnon
Fish Biologist
HDR, Inc.
2525 C Street
Anchorage, AK
pmclarno@hdrinc.com

Curtis McQueen
Eklutna, Inc.
Eklutna Native Corporation
16515 Centerfield Drive
Eagle River, AK 99577

Tom Melius *
Regional Director
US Department of Agriculture
Forest Service
1011 East Tudor Road
Anchorage, AK 99503

Thomas Meyer
NOAA/National Marine Fisheries
Service
PO Box 99802
Juneau, AK 99802
tom.gcak.meyer@noaa.gov

David Meyer
Branch Chief for Hydrologic Data and
Monitoring
USGS, Alaska Science Center
4210 University Drive
Anchorage, Alaska
dfmeyer@usgs.gov

Kate Miller
Trout Unlimited
kmiller@tu.org

Jason Mouw
ADF&G
333 Raspberry Rd.
Anchorage, AK 99518-1565
jason.mouw@alaska.gov

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Page 6 of 8

Anna-Maria Mueller
Aquacoustics, Inc.
am@aquacoustics.com

Douglas Mutter
Regional Environmental Assistant
OPEC-Anchorage
1689 C Street, Rm 119
Anchorage, AK 99501
douglas_mutter@ios.doi.gov

Phil North
Ecologist
USEPA
Kenai River Center, 514 Funny River
Road
Soldotna, AK 99669
north.phil@epa.gov

Melinda O'Donnell
Project Review Supervisor
Department of Natural Resources
Division of Coastal & Ocean
Management
550 w 7th Ave Suite 705
Anchorage, AK 99501
Melinda.ODonnell@alaska.gov

Mike O'Meara
CIK Board Treasurer
Cook Inlet Keeper
P.O. Box 3269
Homer, AK 99603
mikeo@cosmichamlet.net

Doug Ott
Hydroelectric Program Manager
AIDEA
813 W. Northern Lights
Anchorage, AK 99503
dott@aidea.org

Steve Padula
Principal and Senior Consultant
Long View Associates
2705 NE 163rd St.
Ridgefield, Wa 98642
spadula@longviewassociates.com

Sean Purnell*
Governor
State of Alaska
Office of the Governor
P.O. Box 110001
Juneau, AK 99811-0001

Sean Palmer
Division of Water
Alaska Department of Environmental
Conservation
555 Cordova Street
Anchorage, AK 99501-2617
sean.palmer@alaska.gov

Paul Park
Project Engineer
GVEA
758 Illinois Street
Fairbanks, AK 99707
pmpark@gvea.com

Doug Parkinson
Principal
Douglas Parkinson and Associates
890 L Street
Arcata, CA 95521
dpa@humboldt1.com

Lawrence Peltz
Habitat Biologist
NOAA/National Marine Fisheries
Service
222 West 7th Ave., #43
Anchorage, AK 99513
lawrence.peltz@noaa.gov

Leroy Phillips
USACE
P.O.Box 6898
Elmendorf AFB, AK 99506-6898
gilbert.l.phillips@poa02.usace.army.mil

Jeff Pietz
Engineer
PCL Construction
Civil
15405 SE 37th St Suite 200
Bellevue, wa 98006
jtpietz@pcl.com

Gary Prokosh
Chief, Water Resources Section
Alaska Division of Mining, Land &
Water
Alaska Department of Natural
Resources
550 West 7th Avenue, Suite 1020
Anchorage, Alaska 99501-3562
gary.prokosch@alaska.gov

Ann Rappaport
US Department of Agricultural
Forest Service
605 West 4th Ave., Ste. G61
Anchorage, AK 99501-2250

Dudley Reiser
R2 Resource Consultants
15250 N.E. 95th Street
Redmond, Washington 98052
dreiser@r2usa.com

Donna Robertson
Senior Wildlife Ecologist
HDR, Inc.
2525 C Street, Ste 305
Anchorage, AK 99503
Donna.robertson@hdrinc.com

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Page 7 of 8

Dave Rutz
Area Management Biologist for
N&WCI
Alaska Department of Fish and Game
1800 Glenn Hwy, Suite 4
Palmer, AK
david.rutz@alaska.gov

Kimberly Sager
Natural Resources Specialist II
Department of Natural Resources
Division of Mining, Land and
Water
550 West 7th Ave
Suite 1020
Anchorage, AK 99501
kimberly.sagar@alaska.com

Sue Sander
Business Development Director
URS
Washington
10900 NE 8th Street, Suite 500
Bellevue, WA 98004
sue.sander@wgint.com

Gene Sandone
Senior Fisheries Scientist
R2 Resource Consultants, Inc.
2100 Cordova St
Suite 211
Anchorage, AK 99503
gtquada@gci.net

Angela Sandstol
Tribal Council President
Native Village of Tyonek
Native Village of Tyonek
P.O. Box 82009
Tyonek, AK 99682
Tyonek@aitc.org

Kevin Schneider
Business Development
Barnard Construction Company Inc
Dam and Hydro
P.O. Box 99
701 Gold Ave
Bozeman, MT 59771-0099
kevin.schneider@barnard-inc.com

Bob Shavelson
Cook Inlet Keeper
P.O. Box 3269
Homer, AK 99603
keeper@inletkeeper.org

Toby Smith
Executive Director
AK Center for the Environment
807 G Street, Ste 100
Anchorage, AK
toby@akcenter.org

Page Spencer
Chief of Natural Resources
US National Park Service
Lake Clark National Park & Preserve
240 West 5th Avenue, Suite 236
Anchorage, Alaska 99501
Page_Spencer@nps.gov

Robert Stephan, Jr.
Native Village of Tyonek
Native Village of Tyonek
P.O. Box 82009
Tyonek, AK 99682
robert_s@tyonek.net

Raymond Theodore
Knikatnu, Inc.
Knik Tribe Native Corporation
P.O. Box 872130
Wasilla, AK 99687

Cassie Thomas
Regional Hydro Coordinator
US National Park Service
240 West 5th Ave., Rm. 114
Anchorage, AK 99501
cassie_thomas@nps.gov

Johanna Thompson
Marketing Coordinator
LACHEL FELICE & Assoc.
11411 NE 124th Street
Suite 275
Bellevue, WA 98034
jthompson@lachel.com

Jim Thrall
Licensing Consultant
TDX Power, Inc.
13643 Karen Circle
Anchorage, AK 99515
jthrall@yahoo.com

Dennis Tiepelman
Tribal Administrator
Native Village of Tyonek
Native Village of Tyonek
P.O. Box 82009
Tyonek, AK 99682
dennis_t@tyonek.net

Jim Walker
Senior Counsel
Matanuska Electric Association
p.O. Box 2927
Palmer, AK 99645
jlwalker@matanuska.com

Sue Walker
Hydropower Coordinator
NOAA-Fisheries (NMFS)
Habitat Conservation, Alaska
Region
P.O. Box 21668
Juneau, AK 99801
susan.walker@noaa.gov

Michael Walton
Natural Resource Specialist
Alaska DNR
Division of Mining, Land and Water;
Water Resources Section
550 W. 7th Ave., Ste 1020
Anchorage, AK 99501
michael.walton@alaska.gov

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Page 8 of 8

Edward Weiss
Lands & Refuge Manager
Alaska Department of Fish & Game
Wildlife Conservation
333 Raspberry Road
Anchorage, AK 99518-
ed.weiss@alaska.gov

Heather Williams
heather.r.williams@mwhglobal.com

Ann Wilde
Secretary/Commission Section
Manager
Alaska Regulatory Commission
701 West 8th Ave., Ste. 300
Anchorage, AK 99501-3469
ann.wilde@alaska.gov

Rich Wilson
AK DNR
7903 Arlene Street
Anchorage, AK 99502
rich.wilson@alaska.gov

Gary Williams
Coastal District Coordinator
Kenai Peninsula Borough
514 Funny River Rd.
Soldotna, AK 99669
gwilliams@borough.kenai.ak.us

Brian Yanity
byanity@whpacific.com