



## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 3562-026]

### **KEI (Maine) Power Management (III) LLC; Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions**

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. Type of Application: Subsequent Minor License
- b. Project No.: 3562-026
- c. Date filed: July 29, 2021
- d. Applicant: KEI (Maine) Power Management (III) LLC (KEI Power)
- e. Name of Project: Barker Mill Upper Hydroelectric Project (Upper Barker Project)
- f. Location: On the Little Androscoggin River, in the City of Auburn, Androscoggin County, Maine.
- g. Filed Pursuant to: Federal Power Act, 16 USC 791 (a) - 825(r)
- h. Applicant Contact: Lewis C. Loon, General Manager, KEI (USA) Power Management Inc., 423 Brunswick Avenue, Gardiner, ME 04345; phone at (207) 203-3025; email at [LewisC.Loan@krueger.com](mailto:LewisC.Loan@krueger.com).
- i. FERC Contact: Jody Callihan at (202) 502-8278 or [jody.callihan@ferc.gov](mailto:jody.callihan@ferc.gov).
- j. Deadline for filing comments, recommendations, terms and conditions, and prescriptions: **on or before 5:00 p.m. Eastern Time on May 22, 2026; reply comments are due on or before 5:00 p.m. Eastern Time on July 6, 2026.**

The Commission strongly encourages electronic filing. Please file comments, recommendations, terms and conditions, and prescriptions using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support at [FERCOOnlineSupport@ferc.gov](mailto:FERCOOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: **Barker Mill Upper Hydroelectric Project (P-3562-026)**.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted and is ready for environmental analysis at this time.

1. The Barker Mill Upper Project consists of the following existing facilities: (1) a 41-acre impoundment with a maximum storage capacity of 255 acre-feet at a normal maximum water surface elevation of 192 feet;<sup>1</sup> (2) a dam consisting of (starting from the west bank): (a) a 43-foot-long concrete abutment; (b) a 40-foot-long gated spillway structure consisting of two, 18-foot-high, 15-foot-wide steel Tainter gates; (c) an 86-foot-long, 24-foot-high stone masonry with concrete overlay overflow spillway with 3-foot-high wooden flashboards and a crest elevation of 192 feet at the top of the flashboards (189 feet when the flashboards are lowered); (d) a 31-foot-long concrete intake structure; and, (e) a 27-foot-long underground abutment; (3) a powerhouse containing a single 950-kilowatt turbine-generator unit; (4) a tailrace; (5) a 50-foot-long, 12.47-kilovolt transmission line; and (6) appurtenant facilities.

KEI Power filed a Settlement Agreement (Settlement) for the Barker's Mill Project (FERC No. 2808),<sup>2</sup> Upper Barker Project (FERC No. 3562), and Marcal Project (FERC No. 11482) executed by and between the licensee and the U.S. Department of Justice, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Maine Department of Marine Resources (Maine DMR), and the Maine Department of Inland Fisheries and Wildlife (Settlement Parties). The purpose of the Settlement is to resolve the parties' disagreements over the issues related to fish and aquatic resource management, including upstream and downstream passage measures for American eel, river herring, American shad, sea lamprey, and Atlantic salmon; minimum flow releases; and aquatic invasive species. Specifically, for the relicensing of the Upper Barker

---

<sup>1</sup> All elevations are referenced to the North American Vertical Datum of 1988.

<sup>2</sup> The Barker's Mill Project is also known as and referred to herein as the Lower Barker Project.

Project, the Settlement provides for: (1) coordinating the time frame for providing upstream and downstream fish passage at the Upper Barker Project; (2) aligning the minimum and seasonal flows at the Upper Barker and the Lower Barker Projects; (3) aligning the Upper Barker and Lower Barker Projects' license terms by extending the 40-year license term of the Lower Barker Project to 50 years and requesting a license term of 47 years for the Upper Barker Project; (4) establishing an off-license agreement to fund an Androscoggin Basin Stewardship Fund administered by Maine DMR to benefit spawning and rearing habitat in the basin; and (5) assuring, through an off-license agreement, the resources agencies' support for KEI Power's request for Low Impact Hydropower Institute certification for the Upper Barker Project.

On January 29, 2026, KEI Power filed additional details, including design drawings, of its proposed full-depth trash rack overlays (perforated plates with 1-inch hole openings) to protect against fish and eel entrainment and its proposed method of upstream eel passage—installing mussel spat rope.<sup>3</sup> The Upper Barker Project is currently operated in run-of-river mode and generates 4,681 megawatt-hours annually.

m. A copy of the application can be viewed on the Commission's website <http://www.ferc.gov>, using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document (P-3562). For assistance, contact FERC Online Support (see item j above).

---

<sup>3</sup> Mussel spat ropes are made of coarse ultra-violet stabilized polypropylene fibers and while typically used in the aquaculture industry to provide a settlement substrate for mussel larvae, these ropes can also be used to facilitate the upstream fish passage of climbing species such as eels.

All filings must (1) bear in all capital letters the title "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; and (3) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding in accordance with 18 CFR 4.34(b) and 385.2010.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

You may also register online at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. The applicant must file the following **on or before 5:00 p.m. Eastern Time on May 22, 2026**: (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of a waiver of water quality certification.

o. Final amendments to the application must be filed with the Commission **on or before 5:00 p.m. Eastern Time on April 22, 2026**.

(Authority: 18 CFR 2.1.)

Dated: March 23, 2026.

**Carlos D. Clay,**

*Deputy Secretary.*

[FR Doc. 2026-05890 Filed: 3/25/2026 8:45 am; Publication Date: 3/26/2026]