



Alan Panebaker
Northeast Stewardship Director
91 Freedom Dr.
Montpelier, VT 05602
802-552-4446
alan@americanwhitewater.org

July 24, 2012

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
Room 1A East
888 First Street, N.E.
Washington, D.C. 20426

Re: Electronic Filing: Project No.: 9690-109; American Whitewater and
Kayak and Canoe Club of New York Motion to Intervene

Dear Secretary Bose:

Enclosed is a Motion to Intervene for the above-referenced proceeding, submitted by American Whitewater and the Kayak and Canoe Club of New York by electronic filing and distributed via U.S. Mail to persons identified on the Commission's service list for this proceeding. Please add those identified within as American Whitewater's representatives to the Commission's official service list for this project. Thank you.

Very truly yours,

A handwritten signature in black ink that appears to read 'Alan Panebaker'.

Alan Panebaker
American Whitewater
Northeast Stewardship Director

A handwritten signature in black ink that appears to read 'Lauren J. Cook'.

Lauren J. Cook
Kayak and Canoe Club of New York
Conservation Committee Chair

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Rio Hydroelectric Project

Docket No. P-9690-109

Eagle Creek Hydropower, LLC
Eagle Creek Land Resources, LLC
Eagle Creek Water Resources, LLC

AMERICAN WHITEWATER AND KAYAK AND CANOE CLUB OF NEW YORK
MOTION TO INTERVENE REGARDING FERC PROJECT NUMBER 9690-109

Pursuant to Rule 214 of the Rules of Practice and Procedure, 18 CFR § 385.214, American Whitewater and the Kayak and Canoe Club of New York hereby move to intervene in the above-captioned proceeding. The persons to whom communication regarding this notice should be addressed and upon whom service of all pleadings or other documents in this proceeding should be made are:

Alan Panebaker
Northeast Stewardship Director
American Whitewater
91 Freedom Dr.
Montpelier, VT 05602
Phone: 802-552-4446
Alan@americanwhitewater.org

Kevin Colburn
National Stewardship Director
American Whitewater
2725 Highland Dr.
Missoula, MT 59802
Phone: 406-543-1802
Kevin@americanwhitewater.org

Lauren J. Cook
Conservation Committee Chair
Kayak and Canoe Club of New York
517 South 27th Street
Philadelphia, PA 19146
Phone: 508 789-7533
digthepast@gmail.com

In response to FERC's July 12, 2012 Notice of Application for Filing, Soliciting Motions to Intervene, Protest, and Comments regarding P-9690-190, and as grounds for this Motion to Intervene, American Whitewater the Kayak and Canoe Club of New York respectfully assert:

1. American Whitewater ("AW") is a national non-profit organization (Non-profit # 23-7083760) with a mission "to conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely." The membership organization represents a broad diversity of individual whitewater enthusiasts, river conservationists, and more than 100 local paddling club affiliates across America. The Kayak and Canoe Club of New York (KCCNY) is a paddling club representing boaters primarily in New York, New Jersey, and Pennsylvania, and has played an active role in the boating community in coordinating recreational activities and trips on the Rio Reach of the Mongaup River.

2. For more than 15 years, AW and KCCNY members have regularly enjoyed and continue to enjoy the Class II/III rapids in the stretch of the Mongaup River below the Rio Hydroelectric Project in significant numbers, and rely on scheduled releases for recreation that are provided by the Rio Project. Both AW and KCCNY have been active participants in the implementation of the license for the Rio Project, and are committed stakeholders in Mongaup River management.

3. As 501(c)(3) organizations, AW and KCCNY advocate for the preservation and protection of whitewater rivers. Our focus on preserving the publicly available recreational opportunities and ecological qualities of the nation's rivers is in the interest of its members and the public in general, pursuant to Rule 214. 18 C.F.R. § 385.14(b)(2)(iii).

4. AW and KCCNY do not oppose the application to amend the license, but our organizations would be concerned if the project interfered with mandated whitewater releases on the Mongaup River.

5. No disruption to this proceeding will result from AW and KCCNY participating as parties.

6. As the only national river conservation organization representing the interests of whitewater boaters, and based on our significant experience with the management of the Rio Project, AW's interest is not adequately represented by any other party hereto. As a local recreational club with a long history of concern and involvement with the Rio Project, KCCNY's interest is not adequately represented by any other party hereto.

7. Existing parties will not be prejudiced by, nor will they sustain any additional burden by AW and KCCNY becoming parties to this proceeding.

MOTION TO INTERVENE

Pursuant to 18 C.F.R. § 385.214, with good cause having been shown, and for the benefit of the public interest in the Mongaup River, American Whitewater and KCCNY hereby move to intervene in the license amendment process for the Rio Project on the Mongaup River, FERC Project No 9690-109.

Thank you for considering our motion and concerns regarding this project.

Respectfully submitted,



Alan Panebaker
Northeast Stewardship Director
American Whitewater

Dated: July 23, 2012
Montpelier, Vermont



Lauren J. Cook
Conservation Committee Chair
Kayak and Canoe Club of New York

Dated: July 23, 2012
Philadelphia, Pennsylvania

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Rio Hydroelectric Project

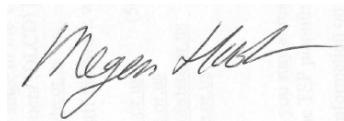
Docket No. P-9690-109

Eagle Creek Hydropower, LLC
Eagle Creek Land Resources, LLC
Eagle Creek Water Resources, LLC

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day caused the foregoing **American Whitewater and Kayak and Canoe Club of New York MOTION TO INTERVENE in the Rio Hydroelectric Project (P-9690-109)** to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 24th day of July 2012.



Megan Hooker
American Whitewater

SERVICE LIST

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
American Rivers		**Margaret Bowman Director American Rivers 1101 14th St NW Ste 1400 Washington, DISTRICT OF COLUMBIA 200055637 District of Columbia
American Whitewater		Kevin Richard Colburn National Stewardship Director American Whitewater 2725 Highland Ave Missoula, MONTANA 59802 kevin@amwhitewater.org
American Whitewater	Lauren Cook Conservation Chair Kayak and Canoe Club of New York 517 S. 27th Street Philadelphia, PENNSYLVANIA 19146 UNITED STATES mongaup@planet-save.com	Kevin Richard Colburn National Stewardship Director American Whitewater 2725 Highland Ave Missoula, MONTANA 59802 kevin@amwhitewater.org
CHASE, PHILIP D.		**PHILIP D CHASE CHASE, PHILIP D. 11 Evergreen Ln Port Jervis, NEW YORK 127713904 Orange
Eagle Creek Hydro Power, LLC	Robert Gates Eagle Creek Hydro Power, LLC 65 Madison Ave. Morristown, NEW JERSEY 07960 UNITED STATES bob.gates@eaglecreekre.com	Bernard (Bud) H Cherry CEO Eagle Creek Hydro Power, LLC 65 Madison Avenue Suite 500 Morristown, NEW JERSEY 07960 bud.cherry@eaglecreekre.com

FONTINALIS FLY FISHERMEN		**PHILIP D CHASE FONTINALIS FLY FISHERMEN 11 Evergreen Ln Port Jervis, NEW YORK 127713904 Orange
Homeowners on Toronto, Inc.	Frances Francis Spiegel & McDiarmid LLP 1333 New Hampshire Avenue, NW Second Floor Washington, DISTRICT OF COLUMBIA 20036 UNITED STATES frances.francis@spiegelmcd.com	William Huang Spiegel & McDiarmid LLP 1333 New Hampshire Ave, NW Washington, DISTRICT OF COLUMBIA 20036 william.huang@spiegelmcd.com
Homeowners on Toronto, Inc.		Rebecca J Baldwin Spiegel & McDiarmid LLP 1333 New Hampshire Ave. NW Washington, DISTRICT OF COLUMBIA 20036 rebecca.baldwin@spiegelmcd.com
Homeowners on Toronto, Inc.		E Service Spiegel & McDiarmid LLP 1333 New Hampshire Ave., NW Washington, DISTRICT OF COLUMBIA 20036 eService@spiegelmcd.com
Homeowners on Toronto, Inc.		Hal Teitelbaum PO Box 52 Behthel, NEW YORK 12720 hteitelbaum@crystalrunhealthcare.com
Homeowners on Toronto, Inc.		Jeffrey S Kittay 152 Homestead Trail Box 12 White Lake, NEW YORK 12786 jeffrey.kittay@gmail.com
Kayak and Canoe Club of New York		Lauren J. Cook Conservation Chair Kayak and Canoe Club of New York 517 S. 27th Street Philadelphia, PENNSYLVANIA 19146 mongaup@planet-save.com

LUMBERLAND, TOWN OF	john kelly POB 384 ROCK HILL, NEW YORK 12775 UNITED STATES office@johnrkelly.com	Nadia Rajsz supervisornadia@gmail.com
Mirant NY-Gen LLC		
Mirant NY-Gen LLC		**Elliot Neri Facilities Manager Mirant NY-Gen LLC Bowline Generating Station 140 Samsondale Ave West Haverstraw, NEW YORK 109931229 Rockland
Mirant NY-Gen LLC	Kevin McLeod Contact/Addr No Longer Valid Mirant NY-Gen LLC UNITED STATES Inactive	
Mirant NY-Gen LLC	**Algird White Contact/Addr No Longer Valid Couch White, LLP UNITED STATES	**Robert Dowd Contact/Addr No Longer Valid Mirant NY-Gen LLC DeKalb
Mirant NY-Gen LLC	**Robert Dowd Contact/Addr No Longer Valid Mirant NY-Gen LLC UNITED STATES	
MONGAUP RIVER WATCHER		**PHILLIP P SCHEPEL MONGAUP RIVER WATCHER 3 Country Meadow Dr Colts Neck, NEW JERSEY 077221571 Monmouth
New York Rivers United	Richard Roos-Collins Director, Legal Services Natural Heritage Institute 2140 Shattuck Avenue, Ste. 801 Berkeley, CALIFORNIA 94704- 1229 UNITED STATES	Bruce R Carpenter Executive Director New York Rivers United PO Box 1460 Rome, CALIFORNIA 13442-1460 bruce_carpenter@newyorkriversunited.org

	rrcollins@waterpowerlaw.com	
New York Rivers United	<p>Richard Roos-Collins Director, Legal Services Natural Heritage Institute 2140 Shattuck Avenue, Ste. 801 Berkeley, CALIFORNIA 94704-1229 UNITED STATES rrcollins@waterpowerlaw.com</p>	<p>Bruce R Carpenter Executive Director New York Rivers United PO Box 1460 Rome, CALIFORNIA 13442-1460 bruce_carpenter@newyorkriversunited.org</p>
New York State Council of Trout Unlimited	<p>William Wellman Region 5 Vice President NYSCTU New York State Council of Trout Unlimited 7 Helen Street Plattsburgh, NEW YORK 12901 UNITED STATES wellman1985@charter.net</p>	<p>**Roy Lamberton New York State Council of Trout Unlimited PO Box 90 East Berne, NEW YORK 12059-0090 Albany</p>
New York State Council of Trout Unlimited		<p>Manny Zanger New York State Council of Trout Unlimited 62 Beaverkill Mountain Rd Roscoe, NEW YORK 12276 UNITED STATES mzanger@hvc.rr.com</p>
New York State Department of Environmental Conservation		<p>Alexander Ciesluk New York State Department of Environmental Conservation 21 South Putt Corners Road New Paltz, NEW YORK 12561 afcieslu@gw.dec.state.ny.us</p>
New York State Department of Environmental Conservation	<p>William Little Associate Attorney New York State Department of Environmental Conservation 625 Broadway Albany, NEW YORK 12233-1500 UNITED STATES wglittle@gw.dec.state.ny.us</p>	<p>William Rudge New York State Department of Environmental Conservation 21 South Putt Corners Road New Paltz, NEW YORK 12561 wprudge@gw.dec.state.ny.us</p>

<p>New York State Department of Environmental Conservation</p>	<p>Lisa Wilkinson Senior Attorney New York State Department of Environmental Conservation 625 Broadway Office of General Counsel, 14th Floor Albany, NEW YORK 12233 UNITED STATES lawilkin@gw.dec.state.ny.us</p>	
<p>Orange & Rockland Utilities, Inc.</p>		
<p>Orange & Rockland Utilities, Inc.</p>		<p>**Jane J Quin Orange & Rockland Utilities, Inc. 1 Blue Hill Plz Pearl River, NEW YORK 109653104 Rockland</p>
<p>PACE UNIVERSITY SCHOOL OF LAW</p>		<p>**JOHN A HUMBACH PACE UNIVERSITY SCHOOL OF LAW CENTER FOR ENVIRONMENTAL LEGAL STUDIES 861 Bedford Rd Pleasantville, NEW YORK 105702700 Westchester</p>
<p>Southern Energy NY-GEN, L.L.C.</p>	<p>Debra Raggio VP, Federal Affairs and Assist Mirant NY-Gen LLC The Homer Building 601 13th Street, NW Suite 850N Washington, DISTRICT OF COLUMBIA 20004 UNITED STATES debra.raggio@mirant.com</p>	
<p>SULLIVAN COUNTY GOVT</p>	<p>Samuel Yasgur County Attorney SULLIVAN COUNTY GOVT County Government Center 100 North Street Monticello, NEW YORK 12701 UNITED STATES samuel.yasgur@co.sullivan.ny.us</p>	

SWINGING BRIDGE PROPERTY OWNERS' ASSN.	Steven Wilson Attorney HARRIS BEACH PLLC 25 Eagle St. Albany, NEW YORK 12207 UNITED STATES swilson@harrisbeach.com	Arthur M Goodman Secretary SWINGING BRIDGE PROPERTY OWNERS' ASSN. Box 1 Mongaup Valley, NEW YORK 12762 sbpoa@hvc.rr.com
The Chapin Estate Homeowners Association, Inc.		Gregory A. Mountain Parnter The West Firm 677 Broadway 8th Floor Albany, NEW YORK 12207 gam@westfirmlaw.com
The Iroquois Hunting and Fishing Club, Inc.	Diane Finnegan 8390 Turnberry Drive Manlius, NEW YORK 13104 UNITED STATES dvfinneg@twcny.rr.com	James Krueger Treasurer Iroquois Hunting & Fishing Club, Inc. State Route 55 White Lake, NEW YORK 12786 jkrueger@sullivanarc.org
The West Firm	Gregory Mountain Parnter The West Firm 677 Broadway 8th Floor Albany, NEW YORK 12207 UNITED STATES gam@westfirmlaw.com	Elizabeth McManus Contact/Addr No Longer Valid Inactive
The West Firm		Vicki G Schlierer Paralegal The West Firm 677 Broadway 8th Floor Albany, NEW YORK 12207 vgs@westfirmlaw.com
The West Firm		Steve Dubrovsky WOODSTONE LAKES DEVELOPMENT, LLC PO Box 338 Bethel, 12720-0338 stevedubrovsky@woodstonecompanies.com
The West Firm		Vicki G Schlierer Paralegal The West Firm 677 Broadway 8th Floor

		Albany, NEW YORK 12207 vgs@westfirmlaw.com
Town of Thompson	Michael Mednick Town of Thompson Town Attorney Town of Thompson 18 Prince Street Monticello, NEW YORK 12701 UNITED STATES michael@michaelmednick.com	