

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 9690—New York
Rio Project
Project No. 10481—New York
Mongaup Project
Project No. 10482—New York
Swinging Bridge Project
Mirant NY-Gen LLC

Mr. Elliot Neri
Mirant NY-Gen LLC
140 Samsondale Avenue
West Haverstraw, NY 10993

JUN 08 2005

Subject: Closure of recreation facilities

Dear Mr. Neri:

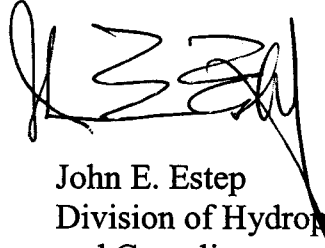
This letter refers to the Rio Project, FERC No. 9690, the Mongaup Project, FERC No. 10481 and the Swinging Bridge Project, FERC No. 10482. In a letter dated June 1, 2005, you informed the Commission that you had closed the recreation areas at and below Swinging Bridge reservoir. These areas include recreation sites at the Swinging Bridge Reservoir and all sites at the Mongaup and Rio Projects. You further state that the Toronto Reservoir is open for recreational use.

While the June 1 letter does not indicate the reasons for the closures, we are aware that you have been working with the Commission's Division of Dam Safety and Inspections (D2SI) to address dam safety concerns at the Swinging Bridge Project. We agree that the recreation areas at the Swinging Bridge Reservoir and the Mongaup and Rio Projects should be temporarily closed until it is determined that the areas are safe for recreational use.

You included in your letter a copy of the signage which you state is posted throughout the recreational areas informing the public of the closures and providing a phone number for additional information. You should also contact the New York Department of Environmental Conservation to inform them of the recreational closures, and put notices in the local papers and at the local marinas informing recreationists of the current status of the facilities.

We will continue to coordinate with D2SI during the dam safety work. Once it is determined that recreationists can safely use the areas, you must immediately open the recreation sites, remove all signage, and inform the public. If you have any questions, please contact Heather Campbell at (202) 502-6182.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Estep', with a long, sweeping underline that extends to the right.

John E. Estep
Division of Hydropower Administration
and Compliance