

OPERATING PROCEDURES
SALUDA HYDROELECTRIC RELICENSING PROJECT
FERC NO. 516

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VERSION 2

The following Team Operating Procedures (OPs) are intended to facilitate communications and cooperation among the Saluda Hydro Relicensing Group (“Relicensing Group” also know as SHRG), Resource Conservation Groups (“Resource Groups” also know as RCGs), and Technical Working Committees (“Technical Committees” also known as TWCs), during relicensing of the Saluda Hydroelectric Project pursuant to 18 C.F.R. 4.34(i).

WHY GUIDELINES ARE NEEDED

This relicensing process will be complex and lengthy. There will be numerous meetings and discussions held over the next few years to identify and resolve project issues. There also are many stakeholders (i.e., persons or groups with “stakes” or particular interests in the outcome of the relicensing process) interested in working with South Carolina Electric & Gas (SCE&G) to address and/or resolve the issues. Personnel representing stakeholder groups in these meetings and discussions may change during the process. Without guidelines, the process of conducting meetings efficiently and effectively, keeping the focus on resolving issues, and ensuring consistency during the process will not be possible. Devoting time and effort during the initial meetings to complete these procedures will save much time and avoid unnecessary confusion in the future. These procedures provide a framework, which can be amended as the process evolves, when there is consensus among the Team to make changes. Consensus is considered to be general agreement within the group that, while perhaps an outcome or result is not what every individual or group believes to be the “preferred” result, nevertheless in the context of the give-and-take of negotiating complex matters, members can “live with” the result.

ITEMS COVERED IN THE OPERATING PROCEDURES

The following items are included in the OPs:

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1. Relicensing mission statement;
2. Structure and function of SHRG, RCG's and TWC's;
3. Agency mandates;
4. Meeting ground rules, locations and logistics;
5. Rules for media and observers;
6. Procedures making recommendations.

Each item is discussed in detail below.

1.0 RELICENSING MISSION STATEMENT

A mission statement reflects the “vision” or goal of an enterprise. Usually developed at the beginning of a process or activity, it serves as a guidepost for keeping a group focused on the goal. The following is the mission statement for the Saluda Hydro relicensing:

1.1 Mission Statement

“SCE&G will manage the relicensing process in consultation and cooperation with, state and federal resource agencies, local government interests, non-governmental organizations, special interest groups, homeowners-and other interested stakeholders. This cooperative consultation process will be used to gather as well as disseminate information. The objective will be for all stakeholders to learn from, as well as to educate each other on the issues and to arrive at issue resolutions. Issue resolution should come only after appropriate consideration of all interests and should account for the reasonable needs of SCE&G and all other stakeholders plus the maintenance and/or enhancement of the quality of impacted resources.”

2.0 STRUCTURE AND FUNCTION OF THE SHRG, RCGs AND TWCs

The “Relicensing Group”, “Resource Groups” and “Technical Committees” are to be comprised of interested stakeholders committed to working with each other and with SCE&G to identify project issues and to develop recommendations for addressing/resolving the issues. The “Resource Groups” and “Technical Committees” stakeholders include SCE&G, state and federal agencies, local governments, consultants, non-governmental organizations, homeowner and boat owner groups, and individual private citizens who share a concern for the resources of the Project. Based on information presented during the Issues Identification Workshops and Comments received in response to the Initial Stage Consultation Document (ICD), there will be plenary groups (Resource Groups) who will be responsible for providing oversight and direction on resource-specific issues (fish, water quality, recreation etc). They are to address process issues and provide a forum for further discussion and cooperation. Also, there will be smaller teams whose focus will be on resolution of specific ecological/technical issues and related studies (Technical Committees). In some cases it may be necessary to form, sub-Technical

Committees to address mandatory regulatory requirements such as Section 7 Threatened and Endangered Species, Tribal Consultation and Section 106 Historic and Preservation Act Consultation. The overarching, “Relicensing Group” will be responsible for accumulating all of the “Resource Group” recommendations and attempt to balance the operations, environmental, and economic considerations with the goal of developing an acceptable mitigation package to submit for SCE&G management approval and inclusion as part of the Final Application for New License.

2.1 Mission Statement for RCGs and SHRG

The following are mission statements for the SHRG and RCGs:

“The mission of the Saluda Hydro Relicensing Group (Relicensing Group/SHRG) is to provide a forum for discussing and resolving key issues related to relicensing of the Saluda Hydroelectric Project. The SHRG will focus on development of cooperative, consensus-based recommendations regarding resource balancing and serve as the primary forum for negotiating issue resolution agreements.”

“The mission of the Resource Conservation Groups (Resource Groups/RCGs) is to identify resource-specific issues, perform necessary studies or gather information through the use of Technical Working Committees (TWCs), and to develop a range of reasonable alternatives associated with the Saluda Hydroelectric Project relative to those resource-specific issues. The RCGs goal is to consider those reasonable alternatives and to adopt recommendations for resolving these issues. The RCGs will serve as subcommittees to the SHRG.”

2.2 Role and Responsibilities of RCGs

- Define and understand issues
- Determine study needs/scopes
- Determine the need for a TWC
- Negotiate in good faith
- Develop recommendations for resolving issues

2.3 Role and Responsibility of SHRG

- Forum for good faith negotiations
- Utilize discovery-solution type processes and tools
- Balancing competing interests
- Process Review
- Develop Package for SCE&G Management

2.4 Role and Responsibility of TWCs

- Form as needed to address very specific issues
- Develop work plans to include work tasks, deliverables, and schedule
- Develop study scopes and study plans
- Provide sound, experience-based Biological, Engineering and/or Scientific input
- Provide recommendations to RCG

A comprehensive view of the issues and corresponding solutions is necessary to ensure (1) that an adequate understanding of all issues and their interdependencies is shared among all participants and RCG's in the relicensing process, and (2) that the best combination of solution features will be adopted so as economically, effectively and completely to resolve all issues, limiting conflicts or unintended adverse consequences to the extent feasible.

In assigning issues to the RCGs and TWCs, the SHRG shall ensure that the integrity of the collective issue resolutions does not become fragmented, that problem definitions and solutions developed by the RCGs and TWCs are coordinated, compatible, and when assembled into the overall system architecture, constitute an integrated whole.

2.5 Team and Group Composition – SHRG and RCGs

In addition to unaffiliated individuals, groups likely will want to participate or be represented on the RCGs and the SHRG. To facilitate effective participation by as many individuals and groups as possible, and to avoid hampering the decision-making process, each group/organization should select a primary spokesperson or representative and an alternate who will be authorized to speak for the group/organization. Each representative should be prepared to act in good faith, and to be responsible for disseminating information to his/her group or organization as necessary for their purposes. Unaffiliated individuals will be encouraged to seek out a group or groups whose views on particular matters of interest to the individual are consistent, and to work through the group(s).

All participants will strive to maintain consistency in participation on RCGs and the SHRG. When a primary representative cannot attend or otherwise participate in meetings, etc., an alternate spokesperson must participate, and it shall be the responsibility of the primary representatives to make arrangements for the alternates to attend.

The following may provide members of the RCGs, SHRG, and TWCs:

SHRG and RCGs

- SCE&G/SCANA Services Staff
- FERC staff
- Consultants
- Federal Resource Agencies
- State Resource Agencies
- Non-Governmental Organizations
- Homeowners Associations
- Individuals

TWCs

- Facilitator
- SCE&G/SCANA Services staff or consultant(s)
- Representatives from the respective RCGs with biological, scientific or engineering experience relevant to specific ecological issues.
- Representatives from the respective RCG's with demonstrated, in-depth practical knowledge and experience/special insight relative to the specific issue.

Limiting TWC participation to those with biological, scientific, engineering and/or practical experience or knowledge relative to that issue allows for the uninterrupted focus of expertise to be directed to gather and/or evaluate relevant data or information in a timely and cost effective manner. All information gathered and developed by a TWC will be provided to the RCG to be used for decision making purposes. To foster the educational benefits of the process, all TWC meetings will be open to all interested parties as observers. Observers will be welcomed to participate in TWC's to the extent that their interaction is not viewed by TWC members as disruptive or interfering with the established goals, including timeliness goals.

2.6 Stakeholder Engagement

Good stakeholder engagement is important to resolving issues during a cooperative process. Therefore the qualities of a good Stakeholder Engagement Program for this process should encompass the following:

- Inclusion. All viewpoints are accepted and honored, no matter how seemingly insignificant, far-fetched, or inconvenient.
- Focused on results. It gets at root concerns where agreement is more likely and satisfaction greater. It avoids fixation on superficial positions, looking for the concerns behind the position whenever such a position is taken.

- Effectiveness. The product should be (1) a complete and clear understanding of stakeholder interests, and (2) validation of each decision made along the path to the final result.

To assist in ensuring that the qualities of good stakeholder engagement are appropriately pursued during the relicensing process, the following elements/methods are to be considered during the relicensing process:

- Identify all stakeholders, their interests and issues, and categorize their interests and issues either as “general” types needing representation, or as specific instances to be included.
- Recruit them as stakeholders into the process.
- Empower the stakeholders through (1) education about the issues and process, and (2) assistance with organization so each stakeholder type is fully represented and linked into two-way communication with the project communications for inclusion in all stages of the solution-discovery process.

2.7 Facilitation

Each team or group will have a facilitator. The goals of the facilitator should be to do the following:

1. Encourage dialog which (1) gets at the deeper interests, values and priorities of the stakeholders, and (2) is structured to provide the inputs needed by subsequent stages in the solution-discovery process.
2. Document stakeholder interests through publication of statements which fairly, clearly, and concisely encapsulate the collective interests of like stakeholders. These interests statements are to be reworked until all stakeholders are satisfied that the statements effectively articulate their views. They should serve as a sound starting points along a clear path to a good solutions.
3. At every step along the solution-discovery pathway, validation of every

decision is established by feedback with the stakeholders, iterating until stakeholder satisfaction with acceptance of the product, vis-a'-vis “consensus,” is achieved. Note, satisfaction means “It’s not everything I want but I can live with it (defined consensus).

The facilitator’s primary role is to manage the process, to enforce the operating guidelines and ground rules, and to work with all participants to build consensus and meet the goals of the process.

Other responsibilities of the facilitators include doing the following:

- Develop draft agendas
- Set and enforce deadlines
- Coordinate meetings of the SHRG, RCGs, TWCs and other groups
- Moderate meetings
- Provide guidance on substance and process
- Enforce ground rules and operating guidelines
- Prepare meeting summaries
- Track action items
- Keep the group focused on its goals
- Ask questions to clarify
- Ensure that meetings are conducted fairly, civilly, and with opportunity for participation by all.

2.8 Communication

Communications include written correspondence, e-mails, and individual and conference telephone calls as well as posting information on the SCE&G Relicensing Website. Attempts may be made throughout the relicensing process to utilize the most current advances in online technology (internet, Net meeting etc) to the extent possible to maximize workload efficiency and accommodate schedules. Automation of the process of disseminating information, conducting discussions, reaching decisions making, and documenting results, process/decision documentation can and likely will accelerate the pace of the relicensing process.

Each of the team members at each respective level will be included in or informed of communications made during the relicensing process. The idea is to keep the lines of communication open during the relicensing process and make it easy for relicensing participants and the general public to get information. The process is to be as “transparent” as possible.

Confidentiality agreements between the stakeholders may be developed during the course of the relicensing. Any confidentiality agreement developed will be drafted and circulated to each RCG member for review and comment. Any confidentiality agreement drafted will in no way (1) attempt to withhold from public scrutiny information otherwise available to the public, whether as a plainly public document or through any applicable legal process or (2) be designed unfairly to withhold information from only certain stakeholders. Should a confidentiality agreement be found to be necessary, only signatories to the agreement(s) may be allowed to participate in the proceedings covered by the agreement(s). Persons choosing not to be signatories will be excluded from any meetings covered by the agreement.

3.0 AGENCY MANDATES

While some SHRG and RCG members represent non-governmental organizations, homeowner and boat owner associations, as well as local entities, some of the SHRG and RCG members represent federal, state and local resource agencies with specific statutory/regulatory mandates. It is important that all stakeholders understand the statutory responsibilities of these team members in order to have constructive dialogue and to recognize the authority by which they participate in the process. Below we list the principal federal, state and local resource agencies with mandates requiring participation in this relicensing process.

- Federal Energy Regulatory Commission (FERC)
- U.S. Department of Interior — Fish and Wildlife Service (FWS)
- U.S. Department of Commerce — National Marine Fisheries Service (NMFS)
- U.S. Department of Interior — National Park Service (NPS)

- U.S. Department of the Army - U.S. Corps of Engineers (ACOE)
- U.S. Environmental Protection Agency (EPA)
- U.S. Geological Survey (USGS)
- South Carolina Department of Natural Resources (SCDNR)
- South Carolina Department of Health and Environmental Control (SCDHEC)
- South Carolina State Historic Preservation Officer (SHPO)

4.0 MEETING GROUND RULES, LOCATIONS AND LOGISTICS

Ground rules are developed and used to govern procedural matters for the SHRG and RCGs and TWCs during the relicensing process. These ground rules can and shall have no effect upon the substantive statutory rights or obligations of any participant. Repeated infractions of the ground rules listed below, however, may result in a request that the person find a replacement representative participant in the process. The following are Team ground rules.

- Listen and respect others' opinions
- No talking when others are talking (Some inadvertent or minor "talking over" is inevitable. However, should it become evident that the effect or intent of such is to stifle communication by the person(s) being talked over, a participant may be called to order and if necessary asked to leave.)
- No "filibustering"
- Stay focused on the issues - No "grandstanding"
- Be courteous - no personal attacks
- Be prepared for meetings or other activities
- Commit to working to resolve disagreements
- Leave baggage (old disputes) at the door
- Act in good faith
- Begin and end meetings on time
- Allow adequate breaks during meetings

- To the extent possible, please turn cell phones off. At a minimum, they must be placed in a silent or vibration-only mode.

4.1 Meeting Locations and Schedule

SCE&G recognizes that the Saluda Hydroelectric Project spans 4 counties and that there are many groups and individuals who want to participate in the process. SCE&G desires to work with stakeholders to develop a schedule that includes the most practical location and meeting times to accommodate the majority of participants.

The SHRG and RCGs will meet according to a schedule to be determined by the team members. In general, meetings will be held at least quarterly, and more frequently as needed to resolve issues. The Team will set the dates of future meetings at least three months in advance whenever possible. The Team recognizes that a three-month schedule is probably not feasible for the TWCs, which may find it necessary meet much more frequently during the relicensing process, especially during the design and/or implementation of studies and report preparation.

Currently, it is anticipated that meetings will occur at Lexington or Columbia locations. Exact meeting locations may vary slightly depending on facility availability.

Team meetings are scheduled to begin in October 2005. SCE&G will provide, to the extent possible, a calendar of proposed dates for 2005 and subsequent SHRG and RCG meetings at least three months in advance. Additionally, quarterly public meetings will be held to inform the general public and non-active stakeholders on the progress of the relicensing. It is anticipated that the next Quarterly public meeting will convene on September 22, 2005.

In general, SHRG and RCG meetings will be held between the hours of 9:30 a.m. and 3:30 p.m. Every effort will be made to begin and end meetings on time. Lunch will be provided and adequate breaks will occur during the meetings. SCE&G will make attempts to convene meetings at other times if it appears a majority of necessary

participants can attend at those alternative times, and no critical agency will thereby be unrepresented.

SCE&G may also provide, on a case-by-case basis for emergency or extenuating circumstances, telephone conference calling access for the SHRG or RCG meetings. In general however, SCE&G discourages the use of telephone conference calls for large group meetings, as it tends to distract from the overall quality and efficiency of the discussion. SCE&G does encourage the use of telephone conference calls for TWC meetings, as those groups will be comprised of much smaller membership and will meet on a more frequent basis.

4.2 Meeting Procedures

- 1) SCE&G or their representative will notify all team members at least two weeks in advance of the next planned meeting. As a part of this notification, a meeting agenda and anticipated meeting schedule will be provided. SCE&G will also at that time distribute any available documents or other information that will be the subject of meeting discussions.
- 2) SHRG and RCG members agree to RSVP to SCE&G or their representative upon receipt of the meeting notice so that meeting facility and lunch arrangements can be appropriately planned. Team members agree to attempt to attend all meetings or to appoint an alternate representative to attend if possible.
- 3) Team members also agree to review all documents provided prior to the meeting in order to come to the meeting prepared to discuss issues on the meeting agenda. Team members agree to be prepared to discuss fully issues within their area of interest and/or expertise.
- 4) All team members shall arrive for the meeting on time.
- 5) Meetings will typically be scheduled Monday – Friday during normal business hours. However, recognizing the fact that many non-governmental stakeholders donate personal time, an occasional evening or weekend meeting may occur. SCE&G encourages those NGOs to meet internally in the evenings and weekends to inform their constituents and members on the

relicensing proceeding. When possible, SCE&G will provide representatives at such meetings on request.

4.3 General Administration Rules

- 1) All meetings will be planned for fixed durations. Every effort will be made to begin and end meetings on time.
- 2) Facilitators will be used to ensure that the meetings are conducted in an effective and expeditious manner.
- 3) SCE&G will provide someone to record notes for each SHRG and RCG meeting. Draft meeting summaries based on those notes will be prepared by SCE&G and distributed to team members no more than three weeks following each meeting. Team members will have two weeks to comment and submit corrections to the summary. Each prior meeting's summary will be reviewed and formally approved at the next team meeting.
- 4) **Parking Lot** - During the course of relicensing, many issues will be raised by SHRG, RCG and TWC members. All relevant input will be considered. In respect of all participants' time, agenda for the meetings will be followed closely. However, some valid and important non-agenda topics may be raised from time to time and will need to be addressed somewhere in the process. Such items will be noted and placed in a "parking lot." All items dispatched to the parking lot will be addressed at the end of the meeting (time permitting) or a subsequent meeting as directed by the RCG members. No item entered into the parking lot will be dismissed without discussion and due cause. Those items raised during the meeting which appear outside of the current agenda will be designated as parking lot items by the facilitator. Items RCG members may want to raise outside of meetings may be directed to the "parking lot" by fax, electronic or hard copy mail, or telephone call, to Alison Guth at Kleinschmidt between meetings, or team members may propose items for the "parking lot" at the meeting. If agreed to by RCG members, they will be added. Any fax, electronic or hard copy mail should be clearly labeled as "Parking Lot Items, Ideas or Comments".

- 5) **Procedures for New Team Members** - SCE&G has identified a need for three levels of participation, allowing stakeholders to be involved, to varying degrees, in the relicensing process.

Tier 1 participation includes those individuals actively participating on one or more of the relicensing teams (SHRG, RCG, or TWC). A *Tier 1* commitment implies and requires regular attendance at meetings and active review and comment on varying relicensing documents.

Tiers 2 and 3 include individuals interested in receiving mailings but who are not members of a relicensing team or regular attendees at meetings. *Tier 2* individuals receive a majority of the relicensing documents, including study plans, study reports, FERC notices, etc. *Tier 3* stakeholders receive only FERC Notices and major relicensing milestone documents (such as the Initial Information Packages, NEPA Scoping Document, and draft and final license applications and NEPA documents). *Tier 2 and 3* stakeholders may provide comments in writing or in person by attending relicensing team meetings. When attending meetings, *Tier 2 and 3* members will have opportunities to discuss their comments or raise items for the “parking lot” at an appropriate time as specified in the meeting agenda.

SCE&G invites and encourages, at anytime during this process, all interested parties to participate on any level of the relicensing of the Saluda Hydroelectric Project. In order to become a *Tier 2 or 3* stakeholder, an individual need only contact Alison Guth to be added to the mailing list. Since *Tier 1* stakeholders must make long-term commitments of time and energy with the goal of reaching resolution on the issues, a different procedure is to be followed for individuals to become *Tier 1* members, as described below. This process will also be used for those *Tier 1* members who miss more than one scheduled meeting.

Stakeholders who are interested in participating on the SHRG, RCG or TWCs and who wish to attend team meetings must review several work

products and Team guidelines prior to attending their first meeting. These items include the Operating Procedures, Ground Rules, Communication Plan, Issue Sheets, process information, relevant study plans/reports and agreements, and Team decisions and outcomes to date. Since Teams are responsible for maintaining progress and enforcing previous agreements, new *Tier 1* members, i.e. those who become *Tier 1* members in mid-process must:

- Follow, and not challenge, all agreements regarding the process and all work performed to date;
- Agree to encourage and maintain the continuity and forward progress of the Team(s); and
- Respect decisions made by *Tier 1* members in attendance at the previous meetings,

all of which are crucial to the timely resolution of issues.

Items that have been discussed and resolved by the Teams will not be renegotiated with new team members during a meeting.

To obtain all relevant documents, new members should contact Alison Guth. Documents will be sent to new members and arrangements will be made to discuss those documents, including specific items and overall intent, with new *Tier 1* members prior to attending a meeting. SCE&G will also assist the new *Tier 1* members by providing a list of other *Tier 1* members who may be contacted to provide an update of the process and to discuss any specific resource issues that may have been previously discussed, including a status of resolution.

The following is the process for new *Tier 1* participants.

- Persons wishing to become *Tier 1* stakeholders must contact Alison Guth.
- SCE&G sends new *Tier 1* stakeholders all relevant process documents, including Final Operating Procedures, Communication

Plan, Ground Rules, Issue Sheets, and all other final documents as well as those that are in progress. The new *Tier 1* stakeholders must review all documents prior to their first Team meeting. If the new members have any questions or comments, they must contact SCE&G or other *Tier 1* members prior to attending the next scheduled meeting.

- SCE&G also sends a list of other *Tier 1* team members as contacts for the new *Tier 1* members.
- The stakeholder confirms with SCE&G their intent to participate in the relicensing at the *Tier 1* level in accordance with all *Tier 1* member obligations.

This procedure is not designed to discourage including new stakeholders in the relicensing process. Rather, the goal of this procedure is to respect the efforts and decision making of the Teams and to ensure timely and effective consideration and resolution of the issues and preparation and completion of an application by August 2008.

5.0 RULES FOR MEDIA AND OBSERVERS

During the process, the media and other persons or groups may desire to attend an SHRG RCG, or TWC meeting. Meetings will be open to attendance by the public and the media as observers only. Time will be reserved at each meeting to take questions and comments from persons attending meetings as observers. If a person other than a media representative wish to participate at the level required by the Teams and agrees to abide by the OPs, they may request to SCE&G and the Teams to become a SHRG or RCG member (see Procedures for New Team Members Section 4.3). Members of the media (i.e. reporters) may not participate as Team Members but will be allowed as observers.

SHRG and RCG members will not use the media as a place to discuss positions and views of other RCG members. All news releases to the media will be coordinated through the

SHRG and RCG. Negotiations and information shared at the SHRG and RCGs should be considered confidential to the Team and its members.

No tape recorders, voice recorders or other forms of electronic recording devices will be allowed in any RCG or TWC meeting. Detailed meeting notes will be generated for each RCG and TWC meeting and will be posted to the website for public disclosure. These minutes will be circulated draft to each of the RCG members for review and comment. It is the intent in developing the minutes to accurately reflect the discussions during the meeting to serve as the public record without bias. The operation of voice recording equipment may have a chilling effect on desired open and honest communications. Folks tend to become very guarded in expressing themselves. The need is for free and open discussion, not crafted Public Relations statements.

6.0 PROCEDURES FOR MAKING RECOMMENDATIONS

As discussed throughout these OPs, the SHRG and RCGs function in an advisory capacity to SCE&G in relicensing the Saluda Hydroelectric Project. SCE&G and SCE&G alone has the statutory obligation to file a license application no later than August 2008. Nevertheless, while advisory in nature, SCE&G intends to encourage and promote cooperative, consensus-based decisions regarding proposals and recommendations for protection, enhancement and mitigation measures.

For purposes of this cooperative enhanced traditional relicensing licensing process, consensus is defined to be general agreement within the group that, while perhaps an outcome or result is not what every individual or group believes to be the “preferred” results, nevertheless in the context of the give-and-take of negotiating complex matters, members can “live with” the result.

The following describes the procedures for making recommendations within the SHRG and RCGs.

- 1) RCG members discuss issue and all available information.
- 2) Members discuss alternatives and propose actions.

- 3) Any active participant or the facilitator may offer recommendations in regards to any procedural or technical matter.
- 4) Members are expected to provide scientific or data-based support for their proposed recommendations.
- 5) Any participant has the right to participate in decisions and the team member(s) or facilitator can postpone decisions if it is judged that other team members need to be present when a decision is rendered.
- 6) If action items are identified, both the team member(s) responsible for the action items and a schedule for completing specific actions or tasks must be recorded and associated with the action items.
- 7) Determine the existence or the absence of consensus (as defined above).
- 8) If consensus exists, the decisions will be documented and included in the appropriate context in the final license application, the NEPA document, and/or if appropriate in a formal agreement.
- 9) Should there be disagreement, the disagreeing team member(s) should state their disagreement and the reasons for the disagreement and request that they be recorded in the meeting summary.
- 10) Items disagreed upon will be recorded and tracked by the facilitator for reconsideration and resolution at an appropriate point in the process.
- 11) First attempts at dispute resolution shall be by compromise upon good faith efforts, recognizing that each team member might find the resulting decision not to be 100% in accord with their preferred outcome, but nevertheless acknowledging that a compromise decision is in the best interest of the Team's objective.
- 12) Should compromise not be possible, every effort will be made to use other informal conflict resolution techniques, including, but not limited to, expert panels, technical experts, and mediation by the facilitator, etc. The appropriateness of one method or another may be subject and circumstance dependant; hence no absolute, irreversible pre-determination will be made here.
- 13) If a dispute still exists, SCE&G—with the team members' input—will evaluate the use of formal dispute resolution techniques and services such as a third party mediator or FERC's Office of Alternative Dispute Resolution.

The overall goal in conducting this enhanced traditional relicensing process for Saluda Hydroelectric Project is to identify all relevant project related solutions and develop a consensus driven Protection, Mitigation and Enhancement Agreement for inclusion in the Final Application that gives equal consideration and reasonably balances the resources. While the intent is for all parties to unanimously reach consensus as defined in this document, it is possible that there may be conflicts and one or more dissenting parties who believe they cannot live with in part or in its entirety the PM&E Agreement. Should this occur, those dissenting from a group(s) recommended alternative(s) or measures are encouraged to provide their recommended alternative and reasons for dissention to SCE&G for inclusion in the public record and/or file their comments with the FERC for due consideration.