

EXHIBIT 12



August 13, 2010

390.131514

Maine Department of Environmental Protection
312 Canco Road
Portland, Maine 04103

**Subject: Permit By Rule Notification
Worumbo Headpond Access Road**

To Whom It May Concern:

Miller Hydro Group (MHG) owns and operates the Worumbo Dam Development on the Androscoggin River in Durham and Lisbon Falls, Maine. MHG authorized HDR Engineering, Inc., (HDR|DTA) to design and permit an access road to the headpond area on the Durham side of the river. We are hereby providing the required Notification Form and applicable attachments for this Permit By Rule Notification.

This letter presents the information required for the Maine Department of Environmental Protection's Permit by Rule Notification for the construction of this access road. We present the following for the Department's consideration:

- Permit by Rule notification form;
- a written explanation of the proposed use;
- a general location figure;
- a site plan of the proposed access road; and
- a spring 2010 wetlands report, which includes photos of existing site.

We request that the Department consider this application for approval at the earliest opportunity. Please feel free to contact us if there are any additional questions or requirements.

Regards,

HDR|DTA

Chris MacDonald, P.E.

CM/jph

cc: M. Isaacson, Miller Hydro Group
D. Murch, Maine DEP Dams Supervisor

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SEP 11 11 48 AM '10
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

12/01/2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM
 (For use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant (owner):	Miller Hydro Group Mark Isaacson, V.P.	Name of Agent:	HDR DTA Chris MacDonald, P.E.
Applicant Mailing Address:	P.O. Box 97	Agent Phone # (include area code):	1-207-239-3858
Town/City:	Lisbon Falls	PROJECT Information Name of Town/City:	Durham, Maine
State and Zip code:	Maine 04252-0097	Name of Wetland or Waterbody:	Androscoggin River
Daytime Phone # (include area code):	1-207-846-3991	Map #:	4
		Lot #:	1
Detailed Directions to Site: The Site is located 0.5 miles north on Route 9 from the intersection of Routes 9 and 125 in Durham, ME. The site is located on the northern side of Route 9.			
Note: UTM Coordinates in Zone 19.		UTM Northing: (if known)	15,983,384.9
		UTM Easting: (if known)	1,369,842.1
Description of Project:	Please see attached narrative.		
Part of a larger project? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After the Fact? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Check one → This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).			

PERMIT BY RULE (PBR) SECTIONS: (Check at least one)

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, **have read** and will comply with all of the standards in the Sections checked below.

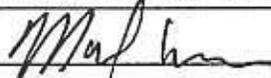
- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities in existing dev. areas located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird nesting, feeding & staging areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input type="checkbox"/> Sec. (9) Utility Crossing | | |

I have attached the following required submittals. NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- Attach** a check for \$65 made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach Proof of Legal Name.** If applicant is not an individual or municipality, provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>)
- Attach photos of the proposed site where activity will take place as outlined in PBR Sections checked above.**
- Attach** all other required submittals as outlined in the PBR Sections checked above.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:		Date:	8/3/2010
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP
 17 STATE HOUSE STATION
 AUGUSTA, ME 04333-0017
 (207)287-3901

PORTLAND DEP
 312 CANCO ROAD
 PORTLAND, ME 04103
 (207)822-6300

BANGOR DEP
 108 HOGAN ROAD
 BANGOR, ME 04401
 (207)941-4570

PRESQUE ISLE DEP
 1235 CENTRAL DRIVE
 PRESQUE ISLE, ME 04769
 (207)784-0477

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	After Photos
PBR #	FP		Acc. Date	Def. Date	

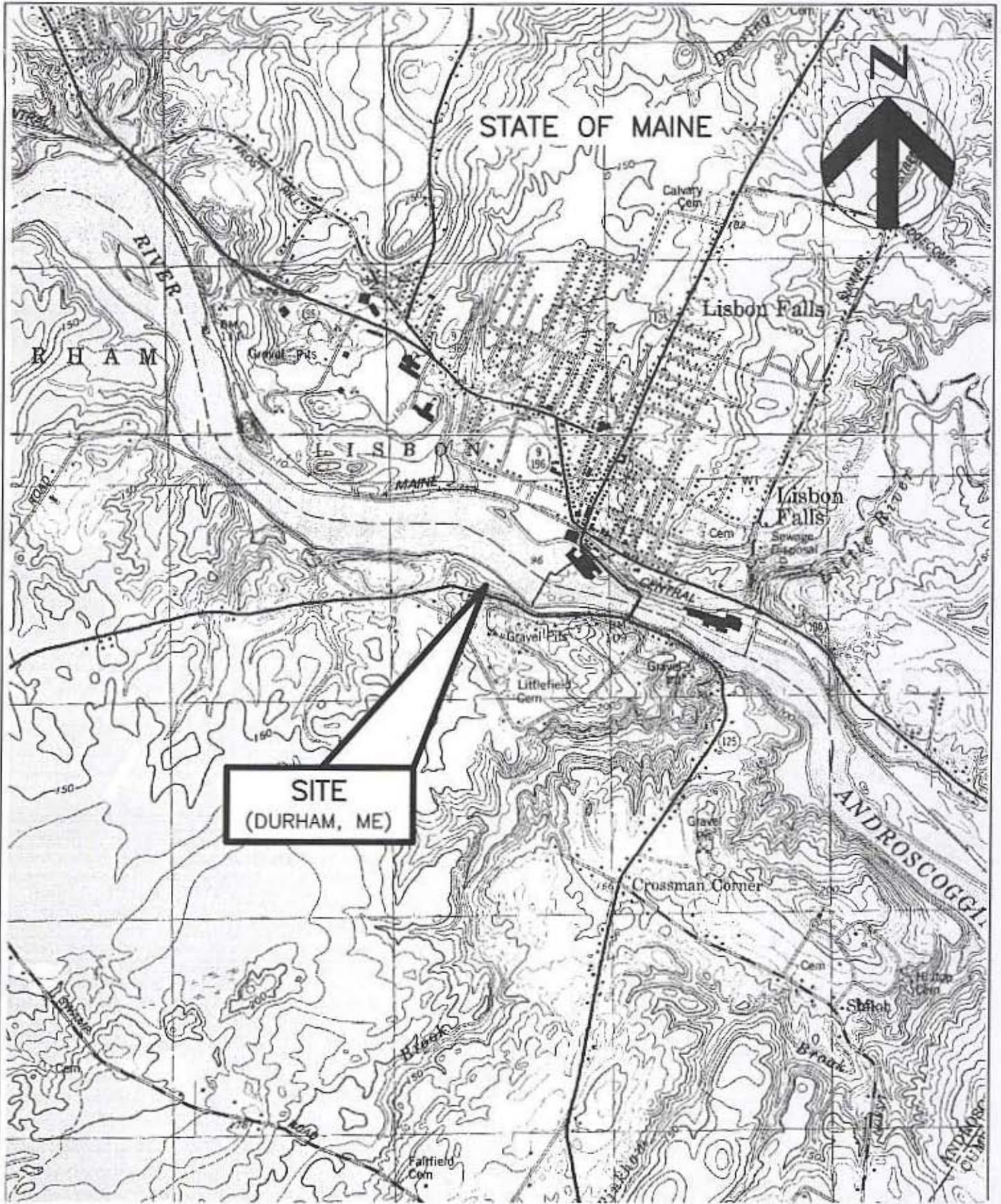
Miller Hydro Group (MHG) proposes to construct an access road on the western side of the Worumbo project's headpond in Durham, Maine. MHG seeks to permit this access road in order to provide additional access to the headpond of the project. The ability to access the headpond from the western side of the project will facilitate ongoing maintenance activities necessary for the continued safe operation of the project.

Additionally, this road will be utilized to facilitate the planned construction of a significant rehabilitation of an existing 350-foot long Timber Crib section of the dam. Additional permits for the rehabilitation activities will be applied for with both the Federal Energy Regulatory Commission (FERC) and Maine Waterway Development and Conservation Act (MWDCA), as applicable.

While this access road will see its heaviest intended usage during planned construction of the rehabilitated section of the dam, which is anticipated to last approximately three months, it is MHG's intention to construct this road prior and maintain for continued use after the rehabilitation project is complete. Currently, the only upstream access available is located on the Lisbon Falls side of the project. MHG intends on constructing this road at the earliest opportunity, between fall of 2010 and spring of 2011. Construction of this road prior to the rehabilitation construction efforts will also ensure that the site is as stable as possible prior to its heaviest intended use. There are no additional onshore impacts proposed due to the planned rehabilitation construction activities.

A wetlands and vernal pool survey was conducted in the spring of 2010. The Wetland Delineation Report from this survey is attached. Photos of the site prior to construction are included as part of the Wetland Delineation Report. The access road alignment was placed in order to minimize impacts to the areas identified in this report, and the design does not propose any direct impacts.

Due to the steep existing grade at the site, the road and local staging area has been proposed as far from the wetlands and vernal pools as possible. The location of the access road is constrained on the West by steep existing grades that continue to the river, and on the east by wetland areas



SITE
(DURHAM, ME)

ACCESS ROAD GENERAL LOCATION
DURHAM, ME
USGS TOPOGRAPHIC MAP (1"=2000')

DATE
JULY 2010
FIGURE
1



State of Maine



Department of the Secretary of State

I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and of the reports of organization, amendment and dissolution of corporations and annual reports filed by the same.

I further certify that MILLER HYDRO GROUP, formerly WORUMBO HYDRO, INC. is a duly organized business corporation under the laws of the State of Maine and that the date of incorporation is April 09, 1980.

I further certify that said business corporation has filed annual reports due to this Department, and that no action is now pending by or on behalf of the State of Maine to forfeit the charter and that according to the records in the Department of the Secretary of State, said corporation is a legally existing business corporation in good standing under the laws of the State of Maine at the present time.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, this ninth day of August 2010.



A handwritten signature in black ink, appearing to read 'Matthew Dunlap'.

MATTHEW DUNLAP
Secretary of State

RECEIVED
SECRETARY OF STATE
AUG 11 2010