

June 17, 2020

Dear Neighbor,

This letter is to inform you that on June 5, 2020, LS Power Grid New York, LLC and LS Power Grid New York Corporation I (together, “LS Power Grid New York”), and the New York Power Authority (NYPA and collectively, “the Applicant”), filed a Joint Proposal with the Public Service Commission (“Commission”) in Case 19-T-0549. The Applicant is seeking a Certificate of Environmental Compatibility and Public Need to build the Marcy to New Scotland Upgrade Project (the “Project”).

As we proceed with the Project permitting, the New York Department of Public Service has requested that we provide the enclosed Notice Inviting Public Comment, which includes a Summary of the Joint Proposal. Interested persons are invited to submit comments concerning the proposed transmission project and the Joint Proposal by July 3, 2020 according to the options provided.

For those that we’ve been able to meet over the past year at our local public open houses and public statement hearings, or we’ve had a chance to speak with over the phone, thank you for your interest in the Project.

As always, I’d ask if you have questions or comments about the Project, please don’t hesitate to contact me by phone at (518) 888-2047 or via email at ccarroll@lspower.com.

Sincerely,



Casey Carroll
Assistant Vice President
LS Power Grid New York

Enclosures – as noted

ABOUT THE PROJECT

The Project includes the upgrade or replacement of transmission line facilities and substations, as well as the construction of new transmission lines and substations, predominantly within an existing utility-owned transmission line corridor between the existing Edic substation in Oneida County, a new Princetown substation in Schenectady County, a new Rotterdam substation in Schenectady County, and the existing New Scotland substation in Albany County, New York. Additional information about the Project can be found on our website at www.LSPGridNewYork.com or the Project’s Article VII application to the New York State Public Service Commission, Case Number 19-T-0549 at on.ny.gov/30wYSrU.

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 19-T-0549 - Application of LS Power Grid New York, LLC, LS Power Grid New York Corporation I, and the New York Power Authority for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Edic/Marcy to New Scotland; Princetown to Rotterdam Project.

NOTICE INVITING PUBLIC COMMENT

(Issued June 12, 2020)

On June 5, 2020, a Joint Proposal, signed by LS Power Grid New York, LLC, LS Power Grid New York Corporation I and the New York Power Authority (collectively the Applicant), Trial Staff of the New York State Department of Public Service, New York State Department of Agriculture and Markets, and the New York State Department of Environmental Conservation, was filed in the above case. The Joint Proposal contains the terms, conditions, practices, and guidelines recommended by the signatory parties for inclusion in a Certificate of Environmental Compatibility and Public Need allowing the Applicant to construct an approximately 93 mile 345-kilovolt (kV) transmission line starting at the Edic substation in Marcy and terminating at the New Scotland substation in Albany (Project). The proposed Project would pass through the Towns of Deerfield and Marcy in Oneida County; the Towns of Schuyler, Frankfort, German Flatts, Little Falls, Stark, Danube, and the Village of Ilion in Herkimer County; the Towns of Minden, Canajoharie, Root, Charleston, Glen, and Florida in Montgomery County; the Towns of Duanesburg, Princetown, and Rotterdam in Schenectady County; and the Towns of Guilderland and New Scotland in Albany County. The Project would also include upgrades to the Marcy and Edic substations, construction of a

new substation in Princetown, construction of a new substation and upgrades to an existing substation in Rotterdam, and upgrades to the New Scotland substation, along with the removal and replacement of segments of existing transmission lines.

PLEASE TAKE NOTICE that public comment is sought concerning the proposed Project and the terms of the Joint Proposal.

The Project, as proposed in the Joint Proposal, includes changes, filed in 2020, from what was detailed in the Application as first filed in August of 2019. The preferred location for the Princetown substation is now identified as the site located in the northwest quadrant of the intersection of the two Edic/Marcy to New Scotland 345 kV (#14 and #18) transmission lines and the two Porter to Rotterdam 230 kV transmission lines (#30 and #31). The Application had identified the site located in the southwest quadrant as the preferred location. Also, the Applicant, upon consultation with National Grid and the New York Independent System Operator, proposes an interim configuration of the proposed new Rotterdam substation. The interim configuration will accommodate the time required to make necessary interconnection-related improvements at the existing Rotterdam 115 kV substation while ensuring uninterrupted operation of the 115 kV system prior to the completion of the improvements.

A summary of the Joint Proposal, prepared by the Applicant, is attached to this notice. The full Joint Proposal and all related documents may be viewed on the Department's web site (go to www.dps.ny.gov, then search using the case number, 19-T-0549).

Interested persons are invited to submit comments concerning the proposed transmission project and the Joint Proposal by **July 3, 2020**. Comments may be submitted as follows:

By Internet or Mail: Go to www.dps.ny.gov, click on "Search," enter the case number (19-T-0549), and then click on "Post Comments" at the top of the page; or send comments to the Secretary to the Commission at secretary@dps.ny.gov.

Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.¹

Toll-Free Opinion Line: You may call the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-State callers, 24 hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

Written comments will become part of the record in this proceeding and may be viewed on the Department's web site at www.dps.ny.gov (search using the case number then click on the "Public Comments" tab). All comments should refer to "Case 19-T-0549 - LS Power Edic/Marcy to New Scotland; Princetown to Rotterdam Project."

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

¹ Please be aware that, due to concerns related to COVID-19, filing electronically or by email is strongly encouraged.

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Case 19-T-0549 Application of LS Power Grid New York, LLC, LS Power Grid New York Corporation I, and the New York Power Authority for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Edic/Marcy to New Scotland; Princetown to Rotterdam Project

SUMMARY OF THE JOINT PROPOSAL

Introduction

On August 20, 2019, LS Power Grid New York, LLC, LS Power Grid New York Corporation I (together, “LS Power Grid New York”) and the New York Power Authority (“NYPA”) (collectively, the “Applicant”), submitted an application to the New York State Public Service Commission (the “Commission”) in accordance with Article VII of the Public Service Law (“PSL”) for a Certificate of Environmental Compatibility and Public Need (the “Application”) to construct, operate and maintain the Marcy to New Scotland Upgrade Project (“Project”) extending from the Town of Marcy in Oneida County, New York to the Town of New Scotland in Albany County, New York.

The Project involves removing existing transmission lines and installing new lines within approximately 93 miles of existing transmission right-of-way (“ROW”), constructing two new substations and upgrading other substations. Approximately 1,250 existing H-frame structures will be removed, and approximately 675 new structures, predominantly monopole, will be installed as part of the Project, as explained in detail in Appendix B to the Joint Proposal. The Application was deemed complete on December 18, 2019. The Applicant submitted three supplemental filings to the Application on February 28, 2020, April 24, 2020, and May 19, 2020.

Joint Proposal

Following several months of settlement conferences, technical meetings, and communications between the parties, the Applicant filed a Joint Proposal on June 5, 2020. The Joint Proposal and its appendices resolve all issues between the signatory parties, namely the Applicant, the Staff of the New York State Department of Public Service (“DPS Staff”), the New York State Department of Environmental Conservation (“NYSDEC”), and the New York State Department of Agriculture and Markets (“NYSDAM”) (collectively, the “Signatory Parties”). The Signatory Parties worked together to develop the Joint Proposal, Ordering Clauses, and Environmental Management and Construction Plan (“EM&CP”) specifications and other guidelines that would minimize potential adverse environmental impacts and protect environmental resources. In addition to the Signatory Parties, the Municipal Electric Utilities Association of New York, the Towns of Canajoharie, Charleston, Florida, Minden and Rotterdam, Niagara Mohawk Power Corporation (d/b/a National Grid), the New York State Thruway Authority, Consolidated Edison Company of New York, Inc., Cricket Valley Energy Center, LLC, and two individuals are also listed on the DMM party list for this proceeding (the “Non-Signatory Parties”). Some of the Non-Signatory Parties attended the settlement conferences, but have taken no position on the provisions of the Joint Proposal. The municipalities received a grant of intervenor funding under PSL § 122(5)(a), in the amounts of \$33,700 to the Town of Rotterdam, \$58,900 to the Town of Florida, and \$134,100 jointly to the Towns of Canajoharie, Charleston, and Minden.

The Joint Proposal and its appendices, including the numerous proposed Certificate Conditions appended to the Joint Proposal, contain safeguards that, taken together, minimize potential

environmental impacts that may result from construction and operation of the Project. The Joint Proposal and its appendices prescribe guidelines and requirements for an EM&CP that are acceptable and appropriate for the Project, and protective of the public interest and environmental resources.

Primary Changes to the Project Reflected in the Joint Proposal

The Joint Proposal does not make significant changes to the location of the Project as reflected in the Application, including the transmission line ROW and the related substations (see Appendix B to the Joint Proposal). The following primary changes to the original design and construction of the Project were addressed in the supplemental filings, and have been incorporated into the Joint Proposal.

- Prior to the Application submittal, the Applicant worked to secure options to purchase property at two alternative sites for construction of the Princetown substation off Reynolds Road in the Town of Princetown, outside of the existing transmission right-of-way and adjacent to the intersection of the two Edic/Marcy to New Scotland 345 kV (#14 and #18) transmission lines and the two Porter to Rotterdam 230 kV transmission lines (#30 and #31) (the “Junction”). In the Application, the Applicant identified the site located in the southwest quadrant of the Junction as the preferred location for Princetown substation due to difficulties obtaining property rights for the site located in the northwest quadrant of the Junction. Subsequent to the Application submittal, the Applicant received additional feedback from local residents and from the Town of Princetown in favor of siting the Princetown substation at the northwest site. The Applicant thereafter was able to secure an option to purchase the northwest site and submitted a supplemental filing on February 28, 2020 identifying the preferred location for the Princetown substation as the site located in the northwest quadrant of the Junction as shown in Figure 3-4 of Exhibit 3 of the Application.
- After the submittal of the Application, the Applicant was notified that National Grid would need additional time beyond the Project’s Rotterdam 345 kV substation in-service date to make the required interconnection-related improvements at the existing Rotterdam 115 kV substation necessary for the final configuration of the proposed new Rotterdam substation. To ensure uninterrupted operation of the 115 kV system prior to the completion of these improvements, the Applicant, National Grid, and the New York Independent System Operator coordinated to identify an interim configuration to be implemented and operated at the new Rotterdam substation until such time as the 115 kV system improvements are complete and the Project’s new Rotterdam substation can be switched over to its final configuration. On May 19, 2020, Applicant submitted a supplemental filing detailing this interim configuration at the new Rotterdam substation and the associated connections to the existing Rotterdam 115 kV substation.

The Commission’s Review of the Joint Proposal

In rendering a decision on an application pursuant to Article VII, in accordance with PSL § 126, the Commission may grant a certificate for the construction or operation of a major utility transmission facility only if it finds and determines:

- 1) The basis of the need for the facility;
- 2) the nature of the probable environmental impact;

- 3) that the facility avoids or minimizes to the extent practicable any significant adverse environmental impact;
- 4) that the facility avoids or minimizes to the extent practicable any significant adverse impact on active farming operations that produce crops, livestock and livestock products;
- 5) what part, if any, of the line shall be located underground;
- 6) that such facility conforms to a long-range plan for expansion of the electric power grid;
- 7) that the location of the facility as proposed conforms to applicable state and local laws and regulations issued thereunder, except those local laws that it may refuse to apply based on the applicable findings; and
- 8) that the facility will serve the public interest, convenience and necessity.

The Joint Proposal and the appendices support each of these findings.

Conclusion

For the reasons set forth herein and detailed in the Joint Proposal, the Signatory Parties support the Joint Proposal and urge the Commission to adopt it without modification.