

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 19-T-0684 - Application of New York Transco LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the New York Public Service Law to Construct, Operate, and Maintain a New, Double-Circuit 54.5-Mile 345/115 Kilovolt Electric Transmission Line and Related Facilities Located in the Town of Schodack, Rensselaer County; the Towns of Stuyvesant, Stockport, Ghent, Claverack, Livingston, Gallatin, and Clermont in Columbia County; and the Towns of Milan, Clinton, and Pleasant Valley in Dutchess County.

NOTICE OF INFORMATIONAL FORUMS
AND PUBLIC STATEMENT HEARINGS

(Issued September 23, 2020)

Public comment is sought on a request by New York Transco LLC, (Transco) for a Certificate of Environmental Compatibility and Public Need (Certificate) pursuant to Public Service Law Article VII for authority to construct the New York Energy Solution Project (Project). The Project would consist of (i) installation of a new, 54.5-mile 345 kilovolt (kV) electric transmission line to be co-located with existing 115 kV electric transmission lines on new monopoles between a new 345 kV Knickerbocker Switching Station in the Town of Schodack, Rensselaer County, a rebuilt 115 kV Churchtown Switching Station in the Town of Claverack, Columbia County, and the existing 345 kV and 115 kV Pleasant Valley Substations in the Town of Pleasant Valley, Dutchess County,¹ (ii) the replacement of 2.2miles of 115 kV electric transmission line in an existing right-of-way that extends from the existing 115 kV Blue Stores

¹ If constructed, the Project would be known as the Transco #96 line.

Substation to a tap with the existing National Grid #8 115 kV LaFarge to Pleasant Valley line, and (iii) installation of a 0.8-mile double-circuit 345 kV electric transmission line to run between the existing 345 kV Pleasant Valley Substation and a new 345 kV Van Wagner Capacitor Bank Station. The Project would be in existing electric transmission corridors or on adjacent utility-owned land in the Town of Schodack in Rensselaer County; the Towns Stuyvesant, Stockport, Ghent, Claverack, Livingston, Gallatin, and Clermont in Columbia County; and the Towns of Milan, Clinton, and Pleasant Valley in Dutchess County. In addition, Transco proposes to work with Orange and Rockland Utilities, Inc. and Central Hudson Gas & Electric Corporation to develop additional, related infrastructure upgrades previously required by the Commission (including upgrades to the Rock Tavern Substation and upgrades to the Shoemaker to Sugarloaf transmission lines).²

On September 9, 2020, a Joint Proposal, signed by New York Transco LLC (Applicant), Trial Staff of the Department of Public Service, Department of Environmental Conservation, Department of Agriculture and Markets, Consolidated Edison Company of New York, Inc., and International Brotherhood of Electrical Workers Local Union No. 97 (Signatory Parties) 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 the Project.

² See Case 12-T-0502, Proceeding to Examine Alternating Current Transmission Upgrades, Order Finding Transmission Needs driven by Public Policy Requirements (issued December 17, 2015), Appendix B ¶5.

The Project, as proposed in the Joint Proposal, includes changes, filed in 2020, from what was detailed in the Application as first filed in October 2019. Primary changes to the original design include the utilization of at least two laydown yards and an alternative design of the Van Wagner Capacitor Bank Station.

The Joint Proposal states that the two, known and reviewed laydown yards will be: (1) the "Falls Industrial Park Road Laydown Yard" south of Falls Industrial Park Road in the Town of Ghent, Columbia County, New York; and (2) the "Baker Road Laydown Yard" south of Baker Road in the Town of Claverack, Columbia County, New York. The proposed alternative design of the Van Wagner Capacitor Bank Station would eliminate a new interconnection of the Project's Van Wagner Capacitor Bank Station and the existing 345 kV Pleasant Valley Substation. This alternative design is anticipated to eliminate the need for several, tall new structures in and around the 345 kV Pleasant Valley Substation and the need to run a new double-circuit 345 kV transmission line in the Project's ROW to interconnect the Van Wagner Capacitor Bank Station to the 345 kV Pleasant Valley Substation. The Van Wagner Capacitor Bank Station's footprint expanded as a result of the redesign; the Station will nevertheless remain exclusively on utility-owned land.

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-0684).

PLEASE TAKE NOTICE that **virtual public informational forums and public statement hearings on the proposed Project** will be held before Administrative Law Judge Anthony Belsito of the Department of Public Service. The public informational

forums will begin at the times shown below. A public statement hearing will immediately follow each of the public informational forums.

1. **DATE:** **Wednesday, October 14, 2020**
 TIME: **1:00 P.M.**

Electronic Access: www.webex.com
 Event Number: **173 035 8459**
 Password: **Oct14-1pm**

Phone-Only Access: **518-549-0500**
 Access Code: **173 035 8459**

DATE: **Wednesday, October 14, 2020**

TIME: **6:00 P.M.**

Electronic Access: www.webex.com
 Event Number: **173 232 9371**
 Password: **Oct14-6pm**

Phone-Only Access: **518-549-0500**
 Access Code: **173 232 9371**

Any person wishing to provide a public statement on the record at the hearing must pre-register to do so by 5:00 P.M. on Friday, October 9, 2020.

To register electronically: Participants who would like to provide a statement and will login to a hearing electronically may register to do so by visiting www.webex.com, where they should click "Join" at the top right-hand corner of the screen, enter the appropriate event number listed above, and provide all requested information.

 When logging in to a hearing on the appropriate date and time of the hearing, participants will be asked to "select audio system." It is recommended that participants opt to have

the system "call me" or "call using computer." The "call me" option will require participants to enter their phone numbers.

To register by phone: Any participant who is not able to login to a hearing electronically may participate by phone. Call-in participants wishing to provide a statement must register to do so in advance by calling **1-800-342-3330**, where they should follow prompts to the appropriate hearing and provide the following information: first and last name, address, and phone number.

On the appropriate date and time of a hearing, all call-in users should dial **518-549-0500** and enter the relevant access code listed above.

Each public statement hearing will be held open until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker as necessary. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the public statement hearings will be made for inclusion in the record of this case.

Disabled persons requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518)474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.

Other Ways to Comment

For those who cannot attend or prefer not to speak at a public statement hearing, there are several other ways to

provide your comments. Comments should refer to Case "19-T-0684." **Although comments will be accepted throughout the pendency of this proceeding, they are requested by November 16, 2020.**

Internet or Mail: Go to www.dps.ny.gov, then click on "Search" and enter the case number, "19-T-0684" in the "Search by Case Number" field, and then click on "Post Comments" at the top right of the page; or send comments by email to the Secretary to the Commission at secretary@dps.ny.gov.

Alternatively, comments may be mailed to Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case number, as described above, and clicking on the "Public Comments" tab.³

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.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

³ Please be aware that, due to concerns related to COVID-19, filing electronically is strongly encouraged.

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Case 19-T-0684 Application of New York Transco LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the New York Public Service Law to Construct, Operate, and Maintain a New, Double-Circuit 54.5-Mile 345/115 Kilovolt Electric Transmission Line and Related Facilities Located in the Town of Schodack, Rensselaer County; the Towns of Stuyvesant, Stockport, Ghent, Claverack, Livingston, Gallatin, and Clermont in Columbia County; and the Towns of Milan, Clinton, and Pleasant Valley in Dutchess County

SUMMARY OF THE JOINT PROPOSAL

Introduction

On October 18, 2019, New York Transco LLC (“Transco” or the “Applicant”) submitted its application to the New York State Public Service Commission (the “Commission”), in accordance with Article VII of the New York Public Service Law (the “PSL”) and the Department of Public Service’s rules and regulations promulgated thereunder, for a Certificate of Environmental Compatibility and Public Need (the “Application”) to construct, operate, and maintain the New York Energy Solution project (the “Project”). The Application was deemed in compliance with PSL § 122 as of February 10, 2020, and was supplemented on (1) June 3, 2020, to introduce and seek approval to use laydown yards associated with the Project (the “Laydown Yard Supplement”), (2) August 5, 2020, to provide certain modified Application exhibits and appendices to reflect a redesign of the Project’s Van Wagner Capacitor Bank Station and the impact of that redesign on the 345 kV Pleasant Valley Substation and surrounding area (the “Van Wagner Redesign Supplement”), and (3) September 1, 2020, to revise the Laydown Yard Supplement (the “Revised Laydown Yard Supplement”).

As described in more detailed in Appendix A to the Joint Proposal, the Project will include: (1) the installation of a new, 54.5-mile 345 kV overhead electric transmission line that will be co-located with reconfigured 115 kV transmission lines in an existing electric transmission corridor (the “ROW”) between the new 345 kV Knickerbocker Switching Station to be owned by Transco and located in the Town of Schodack, Rensselaer County and the existing 345 kV and 115 kV Pleasant Valley Substations owned by Consolidated Edison Company of New York, Inc. and Central Hudson Gas & Electric Corp., respectively, and located in the Town of Pleasant Valley, Dutchess County; (2) the rebuild of the 115 kV Churchtown Switching Station to be owned by Transco and located in the Town of Claverack, Columbia County to allow for a 5-terminal breaker-and-a-half bus configuration; (3) the replacement of 2.2 miles of 115 kV electric transmission line in an existing Niagara Mohawk Power Corporation d/b/a National Grid electric transmission corridor that extends from the existing 115 kV Blue Stores Substation to a tap with the existing National Grid #8 115 kV Lafarge to Pleasant Valley line; and (4) the reconductoring

of 0.8 miles of 2 345 kV electric transmission line circuits on existing structures that will run between the existing 345 kV Pleasant Valley Substation and the new 345 kV Van Wagner Capacitor Bank Station to be owned by Transco and located in the Town of Pleasant Valley.

Joint Proposal

Following several months of extensive settlement conferences and negotiations that commenced on May 4, 2020, technical meetings, and communications between the parties, Transco filed a Joint Proposal on September 9, 2020. The Joint Proposal and its appendices resolve all issues between the signatory parties, namely the Applicant, Staff of the Department of Public Service, Department of Environmental Conservation, Department of Agriculture and Markets, Consolidated Edison Company of New York, Inc., and International Brotherhood of Electrical Workers Local Union No. 97 (collectively, the “Signatory Parties”). The Signatory Parties worked collectively to develop the Joint Proposal, the numerous Proposed Certificate Conditions, Ordering Clauses, and Environmental Management and Construction Plan (“EM&CP”) specifications and other guidelines that would avoid or minimize potential adverse environmental impacts and protect environmental resources.

In addition to the Signatory Parties, other non-signatory parties are listed on the DMM Party List for this Proceeding, including (i) Niagara Mohawk Power Corporation d/b/a National Grid; (ii) Dutchess County; (iii) the Towns of Livingston, Milan, and Pleasant Valley, Farmers and Families of Livingston, Walnut Grove Farm, and Farmers and Families of Claverack (collectively, the “Joint Intervenors”); and (iv) Cricket Valley Energy Center, LLC. Dutchess County and the Joint Intervenors have each received grants of intervenor funding under PSL § 122 (5) (a) in the total amount of \$61,500 and \$201,125, respectively, to defray expenses incurred in the Proceeding.

The Joint Proposal and its appendices, including the numerous Proposed Certificate Conditions appended to the Joint Proposal as Appendix C, contain safeguards that, taken together, avoid or 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 and supplements thereto, including the transmission line ROW and the related facilities (*See* Appendix A to the Joint Proposal).

The following primary changes to the original design and construction of the Project addressed in the supplemental filings are incorporated into the Joint Proposal.

- As described in the Laydown Yard Supplement and the Revised Laydown Yard Supplement, the Project will utilize at least two laydown yards. The Signatory Parties agree that the two, known and reviewed laydown yards will be: (1) the “Falls Industrial Park Road Laydown Yard” south of Falls Industrial Park Road in the Town of Ghent, Columbia County, New York; and (2) the “Baker Road Laydown Yard” south of Baker Road in the Town of Claverack, Columbia County, New York.
- After filing the Application, as described in the Van Wagner Redesign Supplement, Transco identified an alternative design of the Van Wagner Capacitor Bank Station, which would eliminate a new interconnection of the Project’s Van Wagner Capacitor Bank Station and the existing 345 kV Pleasant Valley Substation. This alternative design is anticipated to eliminate the need for several, tall new structures in and around the 345 kV Pleasant Valley Substation and the need to run a new double-circuit 345 kV transmission line in the Project’s ROW to interconnect the Van Wagner Capacitor Bank Station to the 345 kV Pleasant Valley Substation. Although the Van Wagner Capacitor Bank Station’s footprint expanded as a result of the redesign, the Station will nevertheless remain exclusively on utility-owned land.

The Commission’s Review of the Joint Proposal

In rendering a decision on an application pursuant to Article VII of the PSL and in accordance with PSL § 126, the Commission may grant a Certificate of Environmental Compatibility and Public Need for the construction or operation of a major utility transmission facility 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, considering the state of available technology and the nature and economics of the various alternatives, and other pertinent considerations including but not limited to, the effect on agricultural lands, wetlands, parklands and river corridors traversed;
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 considering the state of available technology and the nature and economics of various alternatives, and the ownership and easement rights of the impacted property;
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; 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.