

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT  
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350  
Internet Address: <http://www.dps.state.ny.us>

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\* for applications filed after 12/1/99

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**FOR RELEASE: IMMEDIATELY**

**07054/01-F-1276**

### **Siting Board Rules on TransGas Application**

Albany, NY—6/22/07—The Board on Electric Generation Siting and the Environment (Board) decided to hold in abeyance the amended application filed by TransGas Energy Systems LLC (TransGas) for a certificate of environmental compatibility and public need, pending final action by the City of New York on a request by TransGas for permission to use city-owned property. The Board did not adopt arguments that the case be dismissed at this time.

TransGas originally proposed to construct and operate a 1,100-megawatt generating facility in the borough of Brooklyn, New York City. The application was amended on November 14, 2004. The power plant as currently proposed would be a 776-megawatt gas-fired cogeneration facility capable of exporting steam.

The Board ruled that since TransGas needs permission to use the City's property to site water and steam pipes, and given that it has no authority to grant such permission, TransGas can only receive such permission directly from the City. And while active parties in the case provided good reasons to support their conclusion that such permission will not likely be forthcoming, the Board needs to know what the City will do with certainty before it can consider

whether dismissal would be appropriate. Therefore, it will require that TransGas apply to the City for any necessary permission to use the City's land.

This proceeding is held in abeyance pending receipt of a final, non-appealable decision by the City concerning whether it will give TransGas permission to use the City's property for water and steam pipes to be connected to the proposed electrical generation facility. Also, TransGas shall notify the Board in writing, within 14 days of the issuance of the Board's order, as to when it will submit a request to the City, and it will notify the Board when it receives a decision from the City.

The Board members in this case include Patricia L. Acampora, Chairwoman, New York State Public Service Commission; Alexander B. Grannis, Commissioner, New York State Department of Conservation; Daniel Gundersen, Chairman, Empire State Development; Richard F. Daines, M.D., Commissioner, New York State Department of Health; and Vincent A. DeIorio, Esq., Chairman, New York State Energy Research and Development Authority. The Ad Hoc Members are Theodore Atalsas, Esq. and Alexandria Spanakos, Esq.

A copy of the decision in Case 01-F-1276, when issued, will be available on the New York State Public Service Commission's [www.dps.state.ny.us](http://www.dps.state.ny.us) Web site by accessing the Commission's File Room section of the homepage. Many libraries offer free Internet access. Siting Board Orders may also be obtained from the Commission's Files Office, 14<sup>th</sup> floor, Three Empire State Plaza, Albany, NY (518-474-2500).