



October 28, 2013

Hon. Kathleen H. Burgess
Secretary
State of New York Public Service Commission
Office of the Secretary
Three Empire State Plaza
Albany, NY 12223-1350

**Re: Case No. 12-E-0577 – Proceeding on Motion of the Commission to Examine
Repowering Alternatives to Utility Transmission Reinforcements:
Request for Procedural Order**

Dear Secretary Burgess:

Sierra Club, and Earthjustice, on behalf of the Ratepayer and Community Intervenors, Citizens Campaign for the Environment, and Environmental Advocates of New York (together, the “Requesting Parties”), hereby respectfully request that the Commission issue a procedural order regarding the revised repowering proposal being prepared by Cayuga Operating Company, LLC (“Cayuga”) and New York State Electric and Gas Corporation (“NYSEG”), and which is due to be submitted to the Commission by November 7, 2013 (the “Revised Proposal”).

Specifically, the undersigned request that, in order to foster an orderly public process, increase transparency, and safeguard the public interest, the Commission issue a procedural order clarifying that: (1) an unredacted version of the Revised Proposal will be provided to the Requesting Parties and the public, or, if the Revised Proposal is redacted, Cayuga and NYSEG must provide a full justification for any redactions; and (2) the Commission will provide an adequate time period for public review and comment on the Revised Proposal before issuing a Commission decision regarding the Revised Proposal.¹

In addition, to the extent that DPS staff have (1) provided any guidance or instructions to Cayuga or NYSEG concerning preparation of a revised repowering proposal, or (2) prepared or secured any rate or environmental analyses of repowering options for the Cayuga plant, the Requesting Parties seek clarification that these guidance, instruction, and analyses will be filed in the docket with a full justification for any redactions.

We believe that issuance of this procedural order would be consistent with the best interests of the public and ratepayers and would also allow the Commission to benefit from technical review from multiple parties to better inform its analysis of the Revised Proposal.

Thank you for your consideration of this request.

¹ The Requesting Parties met with Department of Public Service (“DPS”) staff on October 18, 2013 and were informed that staff anticipate that a public comment period will be provided on the Revised Proposal.

Respectfully submitted,

/S/

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