

William A. Hurst  
Tel 518.689.1400  
Fax 518.689.1499  
hurstw@gtlaw.com

May 20, 2013

VIA ELECTRONIC MAIL

Hon. Eleanor Stein  
Administrative Law Judge  
NYS Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223-1350

Re: Case 12-T-0248: Application of New York State Electric & Gas Corporation for a Certificate of Environmental Compatibility and Public Need under Article VII of the Public Service Law for the construction of the “Columbia County Transmission Project,” Approximately 11.1 Miles of 115 Kilovolt Transmission Lines and related facilities in the Towns of Chatham, Ghent and Stockport, in Columbia County.

Dear Judge Stein:

This office represents Protect Ghent, Inc., an intervenor in the above-captioned Article VII proceeding. I write to bring to your Honor’s attention a conflict between the undersigned’s trial schedule and the Procedural Conference currently scheduled for June 11, 2013, and to request a brief adjournment of the June 11 conference date.<sup>1</sup>

I have a date-certain for a jury trial to commence in New York State Supreme Court, St. Lawrence County (Hon. David Demarest, J.S.C.) on June 10, 2013. The prospects for settlement of that action look rather bleak and Judge Demarest has adjourned the trial once already. The trial will last at least two full days, thus rendering the undersigned unavailable for the June 11 Procedural Conference. Due to the complexity of the issues here, and my role as Protect Ghent’s primary counsel for the past approximately twelve months, I believe that I would be professionally remiss in sending a substitute to the Procedural Conference. Accordingly, I respectfully request a short adjournment of the June 11 conference date.

I have conferred with Applicant’s counsel John Draghi, Esq., and with Steven Blow, Esq. on behalf of DPS Staff. Messrs. Draghi and Blow have kindly indicated that they both can be available for the Procedural Conference on June 13, 2013. Mr. Draghi has stated his client’s interest in proceeding at 10:30 a.m. or later on June 13, to allow adequate

<sup>1</sup> The Commission’s Acting Secretary Jeffrey C. Cohen published notice of the Procedural Conference on May 16, 2013.

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\* OPERATES AS GREENBERG TRAUIG MAHER LLP

\* OPERATES AS GREENBERG TRAUIG, S.C.

^ A BRANCH OF GREENBERG TRAUIG, P.A. FLORIDA, USA

\* OPERATES AS GREENBERG TRAUIG GRZESIAK spk

\*\* OPERATES AS GREENBERG TRAUIG LLP FOREIGN LEGAL CONSULTANT OFFICE

\*\* STRATEGIC ALLIANCE

time for travel. If not on June 13, then the undersigned can be available at your Honor's earliest convenience after that date.

Please accept my thanks in advance for your consideration of this request, and my sincere apologies for any inconvenience.

Respectfully submitted,

GREENBERG TRAURIG, LLP

*/s William A. Hurst*

William A. Hurst

cc: John D. Draghi, Esq.  
Steven Blow, Esq.  
Service List (12-T-0248)