

HISCOCK & BARCLAY<sup>LLP</sup>

Ekin Senlet  
Associate

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

October 16, 2013

Re: Application of Champlain Hudson Power Express, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a High Voltage Direct Current Circuit from the Canadian Border to New York City  
Case 10-T-0139

Dear Secretary Burgess:

Pursuant to the Commission's Order dated June 17, 2013 approving the Governance Agreement for the Hudson River and Lake Champlain Habitat Enhancement, Restoration, and Research/Habitat Improvement Project Trust (the "Trust") and Condition 165(a) of the Certificate of Environmental Compatibility and Public Need issued by the Commission in this proceeding on April 18, 2013, Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. ("Certificate Holders") respectfully submit the enclosed pro forma Trust Agreement for filing with the Commission.

Since the submission of their August 16, 2013 Status Report, Certificate Holders have identified six New York banks which have expressed interest in serving as the Trustee Bank. Certificate Holders intend to interview each of these institutions in the near future to select the best candidate to serve as the Trustee Bank. Certificate Holders anticipate that this process will be concluded and that they will be able to select a Trustee Bank and file an executed Trust Agreement with the Commission by December 13, 2013.

Because the form of the Trust Agreement must also be acceptable to the Trustee Bank, Certificate Holders expect that the pro forma Trust Agreement they are submitting today may need to be revised once the Trustee Bank has been selected.

Thank you for your attention to this matter. If you have any further questions, please do not hesitate to contact the undersigned.

Secretary Burgess  
October 16, 2013  
Page 2

Very truly yours,

*Ekin Senlet*

Ekin Senlet  
*Counsel for Champlain Hudson Power  
Express, Inc. and CHPE Properties, Inc.*

cc/  
Active Parties in Case 10-T-0139 (via electronic delivery)