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CONBOY, MCKAY, BACHMAN & KENDALL, LLP

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Watertown Office

October 12, 2018

VIA EMAILING

Honorable Kathleen H. Burgess
Secretary to the Commission (DPS DMM)
New York State Public Service Commission
Empire State Plaza Building 3
Albany, NY 12223-1350

Honorable James A. Costello (James.Costello@dps.ny.gov)
Administrative Law Judge
Department of Public Service
Three Empire State Plaza
Albany, NY 12223-1350

Honorable Lisa Wilkinson (Lisa.Wilkinson@dec.ny.gov)
Administrative Law Judge
Department of Environmental Conservation
625 Broadway, First Floor
Albany NY 12233-1550

RE: Case No.: 16-F-0267 – Deer River Wind Energy Project, PSS Phase
CMBK Matt No.: 38546.0002 (Town of Pinckney, Intervenor Funds Request)
Spending reports: Q3 of 2018

Dear Secretary Burgess, Judge Costello, and Judge Wilkinson,

Pursuant to the requirements of 16 NYCRR 1000.10 and the Ruling, we are submitting this report to give an overview of work that was performed during the third quarter of 2018 for the Town of Pinckney. Please note that the Town has retained our firm to handle other ongoing matters, both related and unrelated to the Deer River project. The total expenses billed to the town and described in this report cover only those items which we understand may be reimbursable from the intervenor fund. We expect to submit the Town's vouchers and invoices in the near future.

Overview of Work Performed in Q3 of 2018

Our firm was retained by Pinckney in October of 2015 to provide general legal assistance in all municipal matters. The Town was named as a potential site for wind development in early 2016, and since then, the firm has provided assistance to the Town in navigating the Article 10 process. Bernier, Carr and Associates was hired to provide technical expertise with respect to the project.

Reimbursable legal work for this past quarter included reviewing stipulations, conferencing with the client and other parties on Article 10 issues, and preparing quarterly expense reports. The engineering firm billed no reimbursable services during this past quarter. This is likely to change as we move toward the application stage.

The funds were awarded in order to offset the costs of the PSS phase – costs which are especially high for a town as sparsely populated as Pinckney, but for which the impact of development of this scale could be severe.

Expenses incurred for Q3 of 2018

For Q3 2018, the town incurred \$1,685.50 in reimbursable expenses consisting of entirely of legal fees.

Current status

The availability of intervenor funds is allowing the Town to participate in a meaningful way through the pre-application phase of the project. We are pleased to report that the purpose for which the funds were awarded (i.e., meaningful participation by the Town in the pre-application phase) are being achieved, though the PSS phase is not yet complete.

Should you have any questions, please contact me or attorney Jim Burrows.

Very truly yours,

CONBOY, MCKAY, BACHMAN & KENDALL, LLP

/s/

Ian W. Gilbert, Esq.

cc: DMM Party List (via submission),
Kris Dimmick, P.E., BCA

Enclosure

	Conboy, McKay, Bachman & Kendall, LLP.			Bernier, Carr & Associates			
	407 Sherman Street			Engineers, Architects, & Land Surveyors, P.C.			
	Watertown, NY 13601			327 Mullin Street			
				Watertown, NY 13601			
Q3	Jul-18	Fees	\$ 650.50	Jul-18	Fees	\$ -	
		Disbursements	\$ -		Support Services	\$ -	
		Service charge	\$ -		Reimbursables	\$ -	
	Aug-18	Fees	\$ 360.00	Aug-18	Fees	\$ -	
		Disbursements	\$ -		Support Services	\$ -	
		Service charge	\$ -				
	Sep-18	Fees	\$ 675.00	Sep-18	Fees	\$ -	
		Disbursements	\$ -		Support Services	\$ -	
		Service charge					
		Total Quarter 3:	\$ 1,685.50		Total Quarter 3:	\$ -	
	Total Prior Expenditures Incurred			Mar-18	Unreported Fees	\$ -	
	Total Intervenor Funds Awarded			\$16,000.00			
	Disbursement Request Amount			\$ 1,685.50			