

TOWN OF CAPE VINCENT

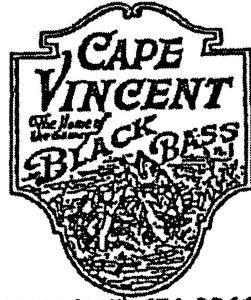
Jefferson County, New York 13618

Supervisor
Urban C. Hirschey

Town Clerk/Tax Collector
Michelle A. Bouchard

Council
Brooks J. Bragdon
Clifford P. Schneider
John Byrne III

Superintendent of Highways
Danny P. Hubbard



FAX (315) 654-3366

Assessor
Robert V.R. Barnard

Historian
Peter Margrey

Planning Board Chair
Richard H. Macsherry

Board of Appeals Chair
Dennis Faulknham

Zoning Enforcement Officer
James G. Millington

December 20, 2012

Honorable Jeffrey C. Cohen
Acting Secretary, NYS Board of Electric Power Generation Siting and Environment
3 Empire State Plaza
Albany, NY 12223-1350

Re: Case12-F-0410 Cape Vincent Wind Power

Dear Acting Secretary Cohen:

Thank you for your prompt response to our December 12 letter. We appreciate the assurance you have provided that Commissioner Harris will not be a part of, nor have any influence on, the deliberations that lie ahead for us in BP's Article 10 project proposal.

We are somewhat puzzled, however, with your response to our concerns regarding BP offering donations to stakeholders in Cape Vincent. In your letter you state:

"You are correct that providing donations to community groups is not an activity listed in the PIP. Notwithstanding your concerns, the fact that the PIP does not discuss charitable donations to local service groups does not make the plan inadequate or preclude the involvement of any sector of the Cape Vincent community from participating in the Article 10 process."

We are surprised that you see nothing questionable or unreasonable about BP giving money to stakeholders prior to the time these stakeholders will be asked what they think of BP's project proposal. You state donations do not make the plan inadequate, but adequacy was not the point we tried to make. Our concern was one of ethics and propriety, not adequacy. You also state that donations from BP do not disqualify a stakeholder from participating in the process. Again, our point was not stakeholder participation or eligibility. We were questioning the ethical behavior of the corporation that is supposedly operating under a law and rules which DPS is responsible for administering.

If the practice of donating money to stakeholders is so routine and ubiquitous, then it should have been included in the PIP. If the practice of paying stakeholders is not so unsavory, then why did BP's attorney John Harris and BP's project manager Richard Chandler remain silent when the practice was questioned at their November 6 Article 10 information meeting?

We are sorry, but we do not share the view that paying stakeholders prior to their engagement in public outreach is ethical, acceptable business practice. We believe donations by BP are not by themselves onerous. Rather, it is the timing of these offers that is unseemly and which taints the process.

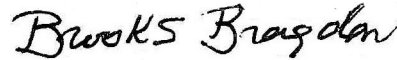
Mr. Cohen, we would like to close with a constructive suggestion that may help resolve our discomfort on this issue, which is very important to us. We ask that you forward our collective correspondence on the issue of BP offering money to stakeholders to the New York State Joint Commission on Public Ethics and ask them for an advisory opinion. This approach would satisfy our concerns, and hopefully, provide some relief for DPS and the Siting Board as well.

Respectfully yours,

Urban Hirschey – Town Supervisor



Brooks Bradgon – Deputy Supervisor



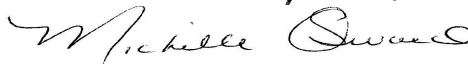
John Byrne – Town Council



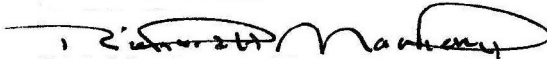
Clifford Schneider – Town Council



Michelle Oswald – Town Council



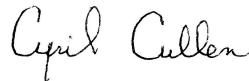
Richard Macsherry – Planning Board Chairman



Robert S. Brown – Planning Board



Cyril Cullen – Planning Board



Paul Docteur – Planning Board

