

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on February 11, 2021

COMMISSIONERS PRESENT:

John B. Rhodes, Chair
Diane X. Burman
James S. Alesi
Tracey A. Edwards
John B. Howard

CASE 19-T-0684 - Application of New York Transco LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the New York Public Service Law to Construct, Operate, and Maintain a New, Double-Circuit 54.5 Mile 345/115 Kilovolt Electric Transmission Line and Related Facilities Located in the Town of Schodack, Rensselaer County; the Towns of Stuyvesant, Stockport, Ghent, Claverack, Livingston, Gallatin, and Clermont in Columbia County; and the Towns of Milan, Clinton, and Pleasant Valley in Dutchess County.

ORDER APPROVING ENVIRONMENTAL MANAGEMENT
AND CONSTRUCTION PLAN

(Issued and Effective February 11, 2021)

BY THE COMMISSION:

INTRODUCTION AND BACKGROUND

On February 11, 2021, the Public Service Commission (Commission) issued a Certificate of Environmental Compatibility and Public Need (Certificate) to New York Transco LLC (Certificate Holder). The Certificate authorizes the construction, operation, and maintenance of the Knickerbocker to Pleasant Valley, New York Energy Solution Project involving the construction of a new, 54.5 mile, double-circuit 345-kilovolt

(kV) electric transmission line to be co-located with existing 115 kV electric transmission lines between the new 345 kV Knickerbocker Switching Station in Schodack, Rensselaer County; the rebuilt 115 kV Churchtown Switching Station located in Claverack, Columbia County; and the existing 345 and 115 kV Pleasant Valley Substation in Pleasant Valley, Dutchess County; along with the replacement of 2.2 miles of 115 kV transmission line in an existing Niagara Mohawk Power Corporation d/b/a National Grid right-of-way (ROW), that extends from the existing 115 kV Blue Stores Substation to a tap with the existing National Grid #8 115 kV Lafarge to Pleasant Valley Line (referred to as the "Blue Stores Tap"); and installation of a 0.8 mile, double-circuit 345 kV electric transmission line between the Pleasant Valley Substation and the new 345 kV Van Wagner Capacitor Bank Station (Project or Facility); pursuant to the requirements of Article VII of the Public Service Law (PSL).

The Project, as proposed and subsequently authorized by the Commission, is expected to be grouped into two or more Environmental Management & Construction Plan (EM&CP) filings. The first phase pertains to the demolition and reconstruction of the Churchtown Switching Station, construction of the associated Churchtown "Shoofly," and the establishment of two laydown yards located at Falls Industrial Park Road and Baker Road in the Towns of Ghent and Claverack, respectively. This filing will be known as the "Phase I EM&CP." All other construction to occur along the remainder of the ROW corridor will be covered in subsequent EM&CP filings.

This Order is only for the work described in the first filing, the Phase I EM&CP. The Phase I EM&CP consists of only the first construction sequence described above: demolition and reconstruction of the existing Churchtown Switching Station, construction of the associated Churchtown "Shoofly," and

establishment of two laydown yards. Demolition of the existing Churchtown Switching Station includes disconnection of all existing lines currently passing through the facility, removal of all existing bus equipment as well as the existing control enclosure. The rebuilt station will then be constructed in its place within a larger footprint to house the increased complexity of Project facility requirements. Construction of the Churchtown "Shoofly" is required in advance of other construction work in order to avoid long term outages to nearby, intersecting lines. The "Shoofly" thusly consists of three permanent 115 kV transmission structures and two correlated wire spans. The rebuilt Churchtown station will consist of an open-air 115 kV three-bay breaker-and-a-half configuration and associated equipment, as well a new control enclosure housing the station's communication, protection and control equipment. Upon completion of the rebuilt station, one of the above-mentioned wire spans is to be removed in exchange for installation of two additional permanent structures and associated spans, which will be covered in a subsequent EM&CP filing.

The Certificate Conditions contain several requirements for compliance, including a requirement that the Certificate Holder submit for public review and Commission approval plans detailing the Facility design, construction and environmental controls (the EM&CP).¹

The Certificate Holder submitted its proposed Phase I EM&CP filing for approval on October 23, 2020. Public notice of the EM&CP filing for review and comment was served on each party on the Service List and on landowners and/or residents of

¹ Case 19-T-0684, Supra, Order Granting Certificate of Environmental Compatibility and Public Need (issued February 11, 2021), Certificate Conditions 27-41.

property crossed by or abutting the Project ROW and made available at the public repositories listed on the Service List, in accordance with Certificate Conditions 36 and 38. As further required by Certificate Conditions 38, the Certificate Holder published notice in three local newspapers of general circulation. In accordance with Certificate Condition 40, on October 28, 2020, the Certificate Holder filed affidavits of service. On December 1, 2020, the Certificate filed affidavits of publication. The 30-day comment period, required by Certificate Condition 39(g), ended on November 22, 2020. No public comments were received pertaining to the Phase I filing. None of the affected municipalities submitted comments. No comments were submitted by the Department of Environmental Conservation (NYSDEC). Informal comments were submitted by the Staff of the Department of Public Service (DPS Staff) and Staff of the Department of Agriculture and Markets (NYSAGM) to the Certificate Holder. The Certificate Holder addressed these comments in its revised Phase I EM&CP, filed on January 8, 2021. No further comments from community members, the various Parties, or Municipalities have been received at this time.

This Order approves the Phase I EM&CP filing so that the Certificate Holder may begin demolition and reconstruction of the Churchtown Switching Station, construction of the associated Churchtown "Shoofly," and establishment of the two laydown yards pursuant to the Certificate.

THE EM&CP, COMMENTS AND RESPONSES

As filed on October 23, 2020, and revised on January 8, 2021, the Certificate Holder's Phase I EM&CP provides both typical and site-specific techniques, procedures and requirements to be followed in the development of the Project by the Certificate Holder to ensure environmental protection. The

Phase I EM&CP identifies and defines the Phase I Facility and both laydown yards; construction access; protective measures for streams, wetlands, threatened and endangered species, agricultural lands, cultural resources, scenic resources and recreational areas; and the Certificate Holder's organizational framework to ensure implementation of the EM&CP. The standards for the EM&CP are described in the Joint Proposal and its appendices.

DPS

DPS Staff facilitated correspondence with the Certificate Holder during development of the EM&CP. Staff contributed guidance for erosion and sediment controls, grading plans and schedules, and requested clarification on the Certificate Holder's environmental supervision to meet the requirements of the EM&CP. The Commission is advised that the Certificate Holder adequately addressed all DPS Staff comments in its January 8, 2021 revised EM&CP.

NYSAGM

NYSAGM Staff reviewed the Phase I EM&CP and provided informal comments and recommendations to the Certificate Holder and its consultants. The Commission is advised that the Certificate Holder adequately addressed all NYSAGM Staff comments in its January 8, 2021 revised EM&CP.

DISCUSSION AND CONCLUSION

As noted above, DPS Staff and NYSAGM Staff raised various concerns and suggestions regarding details of the proposed EM&CP. The Certificate Holder submitted a revised EM&CP containing revised text on January 8, 2021, to address the concerns raised by DPS and NYSAGM Staff.

DPS Staff advised the Commission that in order for the Certificate Holder to meet its construction schedule, the Certificate Holder needed approval of its Phase I EM&CP filing as soon as possible in order to meet the New York Independent System Operator requirement that the Project be operational by the end of 2023.

Upon review, the Commission finds that the Certificate Holder has adequately addressed the concerns raised by DPS and NYSAGM Staff. Based on a review of all the documents submitted, responses received, and supplemental filings made by the Certificate Holder, the revised Phase I EM&CP for the Project is approved.

The Commission orders:

1. The revised Environmental Management and Construction Plan submitted by the Certificate Holder is approved subject to the following condition.
2. The Certificate Holder shall not commence construction until it has received a "Notice to Proceed with Construction" letter sent by the Director of Facility Certification and Compliance of the Office of Electric, Gas and Water or by the Director's designee.
3. This proceeding is continued.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS
Secretary