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July 8, 2014

Via Electronic Mail Kevin.casutto@dps.ny.gov

Kevin J. Casutto, Administrative Law Judge
NYS Department of Public Service
Office of Hearings and Alternative
Dispute Resolution
3 Empire State Plaza
Albany, NY 12223-1350

Re: Case 13-T-0292 WEST POINT PARTNERS, LLC
CORRECTED APPLICATION PAGES

Dear Judge Casutto:

In the course of responding to information requests, West Point Partners, LLC's consultant discovered that the number of utility crossings necessitated by the proposed in-River cable route – forth-eight (48) – was overstated in the Application for a Certificate of Environmental Compatibility and Public Need (Application). In preparing the Application, both boundary lines depicted on navigation charts for cable and pipeline areas were counted as separate utility crossings resulting in the overstatement. The error did not affect crossings of utilities located within mapped Office of General Services easements. The correct number is thirty-two (32), twenty (20) of which are located in designated Significant Coastal Fish and Wildlife Habitat areas (SCFWH). This number remains subject to further correction to account for utilities not charted and utilities that have been removed but remain on the charts.

As a consequence, the estimate provided for the maximum area of riverbed that would be subject to being covered with protective concrete mattresses – 2.3 acres – was also overstated. The correct estimate is 1.6 acres, a conservative (worst case) estimate that assumes all crossings would require such protection. Of the 1.6 acre potential, 0.99 acres are within the SCFWH areas.

Kevin J. Casutto, Administrative Law Judge
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Attached are copies of corrected pages 4-71, 4-162 and 4-163, in both redline and clean formats, and corrected Table 3-2.

Respectfully submitted,


John W. Dax

JWD:imm

Enclosures

cc: Hon. Kathleen H. Burgess
NYPSC Active Parties