



**New York State Electric & Gas Corporation
Application to Construct a Fuel Gas
Transmission Line under Article VII, Section
121-a of the Public Service Law**

**Phelps Natural Gas Pipeline Project
Towns of Phelps & Geneva, Ontario County, NY**

November 2017





November 08, 2017

Hon. Kathleen Burgess,
Secretary to the Commission
State of New York Public Service Commission
Empire State Plaza, Agency Building Three
Albany, NY 12223-1350

Re: New York State Electric & Gas Corporation
Phelps Natural Gas Pipeline Project
Application for Certificate of Environmental Compatibility and Public Need

Dear Secretary Burgess:

Pursuant to 16 NYCRR Section 85-1.3(b) New York State Electric & Gas Corporation (NYSEG) respectfully requests that the Public Service Commission issue a Certificate of Environmental Compatibility and Public Need under Article VII of the Public Service Law for the proposed Phelps Natural Gas Pipeline Project. The Project would be entirely located in the Towns of Phelps and of Geneva, in Ontario County, New York. The proposed pipeline will be approximately 5-miles in length and 12-inches in diameter, and will replace NYSEG's existing 10-inch Certified Main #22 (CM-22) pipeline between NYSEG's Phelps Tap Regulator Station and NYSEG's existing 12-inch Certified Main #23 (CM-23) on Pre-Emption Street in the Town of Geneva. The Phelps Tap Regulator Station will be rebuilt as part of this project. The project will also include other associated facilities, including a pig launcher, pig receiver, and sectionalizing valve. The operating pressure of the proposed facilities will be 220 pounds per square inch gauge (PSIG), however; will be certified with a MAOP of 300 PSIG.

At the request of DPS Environmental Staff, included are five hard copies and five copies on electronic disc of this letter and the following documents:



1. NYSEG's Application for Certificate of Environmental Compatibility and Public Need under Article VII of the Public Service Law for the Phelps Natural Gas Pipeline Project.
2. A copy of the Notice to Landowners letter which was served on each owner of land on which any portion of the facility is proposed to be located, as required by Public Service Law §121-a (3)(c).
3. A Certificate of Service on all persons required to be served under §85-1.3 (b) of the Commission's Regulations and on additional persons who may be interested in the application.

If you should require any additional information, please contact David Bovee, Project Manager at 585-771-4378.

Thank you for your assistance.

Sincerely,



Gregory A. George
Director of Gas Design & Delivery
New York State Electric & Gas Corporation



November 08, 2017

Hon. Kathleen Burgess, Secretary
Secretary to the Commission
State of New York Public Service Commission
Empire State Plaza, Agency Building Three
Albany, NY 12223-1350

Re: New York State Electric & Gas Corporation (NYSEG)
Phelps Natural Gas Pipeline Project
Environmental Management and Construction Standards and Practices

Dear Secretary Burgess:

Pursuant to 16NYCRR Section 85-1.1(b), New York State Electric & Gas Corporation hereby certifies that when constructing natural gas pipelines in the State of New York less than 10-miles long, it agrees to install and maintain such lines in accordance with the Department of Public Service Environmental Management and Construction Standards and Practices for Underground Transmission and Distribution Facilities in New York State (EM&CS&P), revised February 28, 2006, and approved by the Commission for use in Cases 06-T-1383 and 70100 in an order dated December 7, 2006.

Sincerely,

A handwritten signature in black ink that reads "Gregory A. George".

Gregory A. George
Director of Gas Design & Delivery
New York State Electric & Gas Corporation



State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
to
Construct a Fuel Gas Transmission Line
Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

**Phelps Natural Gas Pipeline Project
Certificate of Service**

STATE AND FEDERAL GOVERNMENT

United States Congress 23rd District
Congressman Thomas W. Reed II
433 Exchange Street
Geneva, NY 14456
(315-) 759-5229

New York State Senate
Senator Pamela Helming
119 Fall Street
Seneca Falls, NY 13148
(315) 568-9816

New York State Assembly
Assemblyman Brian M. Kolb
607 West Washington Street
Geneva, NY 14456
(315) 781-2030

New York State Department of State
Rossana Rosado, Secretary of State
One Commerce Plaza
99 Washington Ave.,
Albany, NY 12231-0001
(518) 474-6957

STATE AND FEDERAL GOVERNMENT AGENCIES

Christopher M. Hogan, Chief, Major Projects Management
New York State Department of Environmental Conservation, Division of Environmental Permits



625 Broadway, 4th Floor
Albany, New York 12233
(518) 402-9151

Scott Sheeley, Regional Permit Administrator, Region 8
New York State Department of Environmental Conservation, Division of Environmental Permits
6274 East Avon/Lima Road
Avon, NY 14414-9519
(585) 226-5400

Matthew Driscoll, Commissioner
New York State Department of Transportation,
Central Permits Office, 1st Floor
50 Wolf Road
Albany, NY 12232
(518) 457-4422

Kevin Bush, Director
New York State Department of Transportation, Region 4
1530 Jefferson Road
Rochester, NY 14623
(585) 272-3334

Brian McMahon, Director of Operations
New York State Department of Transportation, Operations Office
1530 Jefferson Road
Rochester, NY 14623
(585) 272-3460

The Honorable Richard A. Ball, Commissioner
New York State Department of Agriculture & Markets
10B Airline Drive
Albany, NY 12232
(518) 457-8876

Tara B. Wells, Esq, Senior Attorney
New York State Department of Agriculture & Markets
10B Airline Drive
Albany, NY 12235
(518) 457-1059

Michael J. Saviola, MPS, Environmental Analyst
NYS Department of Agriculture & Markets
1530 Jefferson Road
Rochester, NY 14623
(585) 427-0200

Christina B. Reith, Ph.D., Director & State Archeologist
New York State Museum, Cultural Resource Survey Program



Cultural Education Center
222 Madison Avenue
Albany, NY 12230
(518) 402-5975

Lorinda Leonardi, Collections Manager
New York State Museum, Office of Botany & Mycology
Cultural Education Center 3132
222 Madison Avenue,
Albany, NY 12230
(518) 486-2029

John Bonafide, Director
New York State Historic Preservation Office
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189
(518) 237-8643

New York State Office of Parks, Recreation and Historic Preservation
625 Broadway
Albany NY, 12238
(607) 387-7041

New York State, Office of Economic Development
Vinnie Esposito, Regional Director
400 Andrews Street, Suite 300
Rochester, New York 14604
(585) 399-7050

U.S. Department of the Interior Fish and Wildlife Service
New York Field Office
3817 Luker Road
Cortland, NY 13045
(607) 753-9334

ONTARIO COUNTY

Mary Krause, County Administrator
Ontario County
20 Ontario Street
Canandaigua, NY 14424
(585) 396-4400

William Wright, Commissioner of Public Works
Ontario County
2962 County Road 48
Canandaigua, NY 14424
(585) 396-4000



Jeffrey Harloff, Director of Emergency Management
Ontario County
2914 County Road 48
Canandaigua, NY 14424
(585) 396-4310

Gary L. Curtiss, County Attorney
Ontario County
20 Ontario Street, 3rd Floor
Canandaigua, NY 14424
(585) 396-4411

TOWN OF PHELPS

Norman Teed, Supervisor
Town of Phelps
79 Main Street
Phelps, NY 14532
(315) 548-5691

Ed Clark, Code Enforcement Officer
Town of Phelps
79 Main Street
Phelps, NY 14532
(315) 548-2971

Steve Studley, Fire & Building Officer
Town of Phelps
79 Main Street
Phelps, NY 14532
(315) 548-2971

Terry Featherly, Superintendent
Highway Department, Town of Phelps
63 Mill Street
Phelps, NY 14532
(315) 548-4043

Mike Vienna, Superintendent
Water Department, Town of Phelps
63 Mill Street
Phelps, NY 14532
(315) 548-5691

TOWN OF GENEVA

Mark Venuti, Supervisor
Town of Geneva
3750 County Road 6
Geneva, NY 14456



(315) 789-3922, Ext. 301

Floyd Kofahl, Code Enforcement Officer
Town of Geneva
3750 County Road 6
Geneva, New York 14456
(315) 789-3922

Bernie Peck, Superintendent
Highway Department, Town of Geneva
3750 County Road 6
Geneva, NY 14456
(315) 789-8870

Charles Bracko, Superintendent
Water & Sewer Department, Town of Geneva
3750 County Road 6
Geneva, NY 14456
(315) 789-6727

PUBLIC REVIEW LOCATIONS

The Phelps Library
8 Banta Street, Suite 200
Phelps, NY 14532
(315) 548-3120

Geneva Public Library
244 Main Street
Geneva, NY 14456
(315) 789-5303

I certify that a copy of New York State Electric & Gas Corporation's Application for a Certificate of Environmental Compatibility and Public Need for the Phelps Gas Pipeline under Article VII of the New York State Public Service Law was served on each of the persons listed above at the addresses indicated.

David C. Bovee
Project Manager, Gas Engineering
New York State Electric & Gas Corporation

November , 2017



CERTIFICATE OF SERVICE ON PERSONS FROM WHOM PROPERTY RIGHTS WILL BE NEEDED FOR THE PHELPS PIPELINE PROJECT

Pursuant to Section 85-1.3(c), I hereby certify that New York State Electric & Gas Corporation has this day served, in the attached form, a letter of notification of submission of an Application for a “Certificate of Environmental Compatibility and Public Need” for the Phelps Gas Pipeline by mailing a copy of that letter by first class mail, postage prepaid, upon the following persons, who are the holders of any right, title or interest in the real property subject to the proposed site or right of way of the Phelps Gas Pipeline Line as identified from the most recent tax roll of 2017, at the following addresses:

Tax Account Number	Property Owner 1	Property Owner 2	Mailing Address	City	State	Zip Code
77.00-2-101.100	PHILLIPS, RONALD M	PHILLIPS, CHRISTOPHER N	269 Castle St	Geneva	NY	14456
77.00-2-101.200	RIKER, WILLIAM T		2564 St Rt 14	Geneva	NY	14456
77.00-2-36.000	LYON, RICHARD		142 Newmiller Rd	Lyons	NY	14489
77.00-2-37.000	DECOSTER, AUSTIN J		PO Box 418	Chestertown	MD	21620
77.00-2-44.110	ADAMS, CALVIN D		2650 St Rt 14	Geneva	NY	14456
77.00-2-45.110	HEINZMAN, DONALD L	HEINZMAN, CAROLYN R	2651 Carter Rd	Geneva	NY	14456
77.00-2-46.110	BERNS, DANIEL	HOWARD, MARY	2635 Carter Rd	Geneva	NY	14456
77.00-2-46.120	DEMARIA, ROBERT J		2637 Carter Rd	Geneva	NY	14456
77.00-2-51.122	DAY, RICHARD A	DAY, RICHARD A	2274 Co Rd 6	Phelps	NY	14532
77.00-2-52.210	GOODMAN, TIMOTHY J	CARDILLO, KAREN M	2587 Carter Rd	Geneva	NY	14456
77.00-2-53.112	DAVIS, RODNEY		2541 Carter Rd	Geneva	NY	14456
77.00-2-53.113	DAVIS, RODNEY	DAVIS, KANDIE	2541 Carter Rd	Geneva	NY	14456
77.00-2-53.114	LONG, WILLIAM		508 Castle St	Geneva	NY	14456
77.00-2-53.120	WOZNICK, CRAIG		561 Rosewood Dr	Geneva	NY	14456
77.00-2-64.400	RIKER, WILLIAM		120 Bostwick Rd	Phelps	NY	14532
77.00-2-91.000	ONTARIO COUNTY IDA		PO Box 1099	Geneva	NY	14456
77.00-2-92.000	PENNSYLVANIA LINES, LLC		Box 209 3 Commercial Place	Norfolk	VA	23510
62.00-1-21.110	DAY BROTHERS		2292 Co Rd 6	Phelps	NY	14532
62.00-1-21.200	DAY BROTHERS		2292 Co Rd 6	Phelps	NY	14532
62.00-1-24.100	DAY BROTHERS		2292 Co Rd 6	Phelps	NY	14532
62.00-1-35.100	BILETZKY, STEPHEN J	BILETZKY, SHARON L	2251 Lester Rd	Phelps	NY	14532
62.00-1-36.000	LANGDON, DAWN M		2219 Lester Rd	Phelps	NY	14532
62.00-1-44.100	DUTCHER, WADE C	DUTCHER, PATRICIA A	2206 Lester Rd	Phelps	NY	14532
62.00-1-45.100	DAY, THOMAS W		2270 Lester Rd	Phelps	NY	14532
62.00-1-48.112	DAY, THOMAS W		2270 Lester Rd	Phelps	NY	14532



62.00-1-63.111	ADAMS, JAMES W	ADAMS, MARY LOU	2120 Lester Rd	Phelps	NY	14532
62.00-1-63.112	BROWN, NICHOLAS		2096 Freshour Rd	Clifton Springs	NY	14432
62.00-1-66.000	EDINGTON, HAROLD L		1048 Co Rd 23	Phelps	NY	14532
62.00-1-67.100	MACK, GUILFORD	MACK, BETH	1070 Co Rd 23	Phelps	NY	14532
62.00-1-8.100	ADAMS, LEON W		1951 Lester Rd	Phelps	NY	14532
62.00-1-8.300	DOMINION TRANSMISSION INC		PO Box 27026	Richmond	VA	23261
62.00-1-8.400	NYS ELECTRIC & GAS CORP		70 Farm View Dr	New Gloucester	ME	4260
62.00-1-8.500	DOMINION TRANSMISSION INC		PO Box 27026	Richmond	VA	23261
91.00-1-28.100	PENNSYLVANIA LINES LLC		Box 209 3 Commercial Place	Norfolk	VA	23510
91.00-1-3.100	LYON, RICHARD		142 Newmiller Rd	Lyons	NY	14489
91.00-1-4.110	MAHER, PATRICK J	MAHER, KIMBERLY A	2750 Pre-Emption St	Geneva	NY	14456
63.00-1-27.000	CORTELYOU, TIMOTHY	CORTELYOU, EMME	2257 Co Rd 6	Phelps	NY	14532
77.00-1-16.111	SNYDER, ROBERT A		249 Prospect St	Newark	NY	14513
77.00-1-20.100	AVANZATO, JOHN C	AVANZATO, CHERYL J	581 Preece Rd	Geneva	NY	14456
77.00-1-20.210	DEBOOVER FAMILY FARMS LLC		1382 Co Rd 23	Phelps	NY	14532
77.00-2-53.115	LONG, WILLIAM		508 Castle St	Geneva	NY	14456
77.00-2-54.110	ALEX MARTIN		212 E Glenwood Dr	Brandon	SD	57005
77.00-2-54.120	WHEELER, SANDRA P	WHEELER, KRAIG S	2505-2509 Carter Rd	Geneva	NY	14456





Notice to Landowners

Name of Landowner
Address of Landowner
Re: Case Number, Project Name

Date

Dear Mr. (Ms.) _____

New York State Electric & Gas Corporation (NYSEG) will file with the New York State Public Service Commission on or about October____, 2017, an Application for a Certificate of Environmental Compatibility and Public Need under Article VII of the New York State Public Service Law for construction of the proposed Phelps Natural Gas Pipeline Project. You are receiving this letter because the most recent Ontario County tax rolls indicate you are the holder of a right, title, or interest in real property on which NYSEG proposes to construct part of the proposed Phelps Natural Gas Pipeline.

Description of Project

The Phelps Natural Gas Pipeline Project will be located in the Town of Phelps and Town of Geneva, Ontario County, New York. NYSEG intends to rebuild its existing Phelps Tap Regulator Station located on Lester Road in the Town of Phelps and replace approximately 5-miles of existing 10-inch steel natural gas main with a new 12-inch steel gas main starting in 2018. The proposed 12-inch pipeline will commence at the Phelps Tap Regulator Station and convey natural gas in a southeasterly direction to where it will terminate at a new District Regulator Station (DRS). The new pipeline will be certified to operate at a maximum allowable operating pressure (MAOP) of 300 psig. The new DRS at the Southern terminus will be located on Pre-Emption Street in the Town of Geneva. The MAOP of the piping at the new DRS to a proposed interconnect with NYSEG's 12-inch CM-23 pipeline on Pre-Emption St. will be 203 psig.

The purpose of this project is to increase the reliability of NYSEG's existing Geneva Gas Distribution System by removing existing system constraints and allowing a redundant source of gas supply to the area to be more effectively utilized on a continual basis. Operation of the existing 10-inch steel gas main that is being replaced will be reconfigured and continue to provide safe, reliable gas service to existing customers.

Copies of Application

After the Application is filed, copies will be available to the public for inspection during normal business hours at The Phelps Library and Geneva Public Library. The Application will also be posted on the Public Service Commission's Document and Matter Management System, which may be accessed at www.dps.ny.gov, by clicking on "Search" at the top of the page then entering the case number or project title under "Commission Documents".



Participating in the Proceeding

Any person may participate in the Public Service Commission proceeding by filing comments with the Secretary of the Commission Pursuant to Public Service Law §121-a(5) and the Commission's regulation 16 NYCRR §85-1.7. Comments should be mailed to Hon. Kathleen Burgess, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350, or sent by email to Secretary@dps.ny.gov. The name of the application, "Phelps Article VII Application", and the applicant for the certificate, "New York State Electric & Gas Corporation", along with the Commission's case number: _____, should be included at the top of the document containing the comments.

Time for Filing Comments

Public Service Commission regulation 16 NYCRR §85-1.7 provides that any person may file comments with the Commission on any application. However, the record of the certification proceeding may be limited to any comments filed within 15 days of the service date of the application, and any report by the Staff of the Department of Public Service. Therefore, to be sure your comments are considered, submissions germane to this project should be filed within 15 days of the service and filing of the Application.

Questions

If you have any questions about this notice, you may contact New York State Electric & Gas Corporation's representative, David Bovee, at 585-771-4378 or David_Bovee@rge.com or contact the Secretary of the Public Service Commission at the address or email listed above or at Tel. 518-486-6081.

Sincerely,

David Bovee
Project Manager, Gas Engineering
New York State Electric & Gas Corporation



State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
to
Construct a Fuel Gas Transmission Line
Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Town of Geneva
Ontario County, New York

TO THE NEW YORK STATE PUBLIC SERVICE COMMISSION

New York State Electric & Gas Corporation (NYSEG) hereby makes an application to the New York State Public Service Commission for a Certificate of Environmental Compatibility and Public Need in accordance with Title 16 of the New York Code of Rules and Regulations, Chapter 1, Subchapter G, §85-1.3 (16 NYCRR §85-1.3) to construct a fuel gas transmission pipeline pursuant to Article VII, Section 121-a of the Public Service Law, as hereinafter described in detail.

Communications concerning this application should be addressed to:

Mr. David Bovee
New York State Electric & Gas Corporation
1300 Scottsville Road
Rochester, NY 14624
585-771-4378
David_Bovee@rge.com



TABLE OF CONTENTS

§85-1.3 Content, Filing and Service of Applications	Page
(a) An application to construct a fuel gas transmission line which is less than 10-miles long, other than as described in part §85-1.2(a) of this Subpart, or section 120(2) of the Public Service Law, shall contain:	2
(1) the information required by:	2
(i) §85-1.2(a) of this Subpart; and	2
(ii) §85-1.2(c)(2) of this Subpart;	13
(2) a description using text and detailed construction-type map (at a scale of 1-inch=400-feet, or larger) showing the centerline and the specific relationship of the line to such features as:	18
(i) sensitive resources which will be affected by the line, as defined in §85-1.2(a)(3) of this Subpart;	18
(ii) property boundaries, fences, walls, and hedgerows to be crossed; and	20
(iii) any dwelling within 150-feet.	20
(3) a statement explaining the need for the line, including:	20
(i) a demonstration that a market (or specific purchaser) for the gas will exist;	20
(ii) where the applicant will serve retail customers, a demonstration that gas supplies will be adequate to serve existing and potential consumers during the first 10 years of the lines operation; and	21
(iii) a showing (if well-drilling is not contemplated in conjunction with the line) of the improvements in system reliability, capability, safety or benefits offered by the line; and	21
(4) any other additional information the applicant considers relevant	22
(b) The applicant shall file and serve the application, in accordance with the requirements of §3.5 of this Title and serve one copy each on:	25
(1) the central office and the appropriate regional offices of:	25
(i) the Department of Environmental Conservation; and	25
(ii) the Department of Transportation;	25
(2) the Commissioner of Agriculture and Markets;	25
(3) the State Archaeologist;	25
(4) the State Historic Preservation Officer;	25



(5) and other State agency which has authority to administer and enforce compliance with any legal provision listed in response to the requirement of subparagraph (a)(1)(ii) of this section; and	25
(6) the chief executive officer of every municipality in which any portion of the line is to be located.	25
(c) Proof of service shall accompany the application.	26

EXHIBITS

- A Construction Drawings
- B Winterization Plan
- C Environmental Management & Construction Standards & Practices (EM&CS&P) Checklist
- D Stormwater Pollution Prevention Plan (SWPPP)
- E Floodplain Map
- F NYSHPO Response Letter
- G Agricultural Mitigation and Drain Tile Information
- H List of Potentially Applicable Laws and Regulations
- I Public Outreach
- J Rare Threatened Endangered Species Response Letters from USFWS and NYSDEC
- K Invasive Species Control Plan
- L Construction Road Use Plan



ABBREVIATIONS

BGEPA: Bald and Golden Eagle Protection Act
CRIS: Cultural Resource Information System
DPS: Department of Public Service
DRS: District Regulator Station
DTI: Dominion Energy Transmission International
EM&CS&P: Environmental Management & Construction Standards & Practices
FEMA: Federal Emergency Management Agency
ISCP: Invasive Species Control Plan
MAOP: Maximum Allowable Operating Pressure
MBTA: Migratory Bird Treaty Act
MDT: Thousand Dekatherms
MSS: Manufacturers Standardization Society of the Valve and Fittings Industry
NHP: Natural Heritage Program
NLCD: National Land Cover Database
NOI: Notice of Intent
NWI: National Wetland Inventory
NYCRR: New York Codes, Rules and Regulations
NYSBAM: New York State Department of Agriculture & Markets
NYSDEC: New York State Department of Environmental Conservation
NYSEG: New York State Electric & Gas Corporation
NYSHP: New York State Office of Parks Recreation and Historic Preservation
PEM: Palustrine Emergent
PFO: Palustrine Forested
PSC: Public Service Commission
PSI: Pounds Per Square Inch
PSIG: Pounds Per Square Inch Gauge
PSS: Palustrine Scrub Shrub
ROW: Right-of-Way
SMYS: Specified Minimum Yield Strength
S.R.: New York State Route
SWPPP: Storm Water Pollution Prevention Plan
UNT: Unnamed Tributary
USACE: United States Army Corps of Engineers
USFWS: United States Fish and Wildlife Services



New York State Electric & Gas Corporation (NYSEG) requests that the Commission issue a Certificate of Environmental Compatibility and Public Need for the proposed Phelps Natural Gas Pipeline Project. Although this application conforms with the criteria for filing under 16 NYCRR Subpart 85-1.3, which refers to gas transmission lines less than 10-miles long, in this application, the pipeline is designated a “gas distribution line” in accordance with the definitions in 16 NYCRR Chapter III Subpart C Part 255 because the proposed pipeline and associated facilities and appurtenances will operate at a hoop stress of less than 20% of the pipe’s specified minimum yield strength (SMYS). The information required for the construction of the proposed pipeline is set forth below and referenced to the relevant section of the Commission’s procedures.

§ 85-1.3 Content, filing and Service of Applications

§85-1.3(a)(1) An application to construct a fuel gas transmission line which is less than 10-miles long, other than as described in part §85-1.2(a) of this Subpart, or section 120(2) of the Public Service Law, shall contain the information required by: (i) §85-1.2(a) of this Subpart; and (ii) §85-1.2(c)(2) of this Subpart;

§85-1.3(a)(1)(i) The information required by: §85-1.2(a)

§85-1.2(a)(1) The dates on or about which the applicant intends to begin construction of the line:

Construction of the proposed pipeline, as illustrated in Exhibit A, is projected to begin in the summer of 2018, and is expected to be completed prior to the winter of the same year. A winterization plan is provided in Exhibit B, if needed.

§85-1.2(a)(2) A brief statement describing and locating the line (using text and a topographic map at a scale of 1: 24,000 – 1-inch = 2,000-feet – or larger with legend), including:

The Project area appears on the Phelps and Geneva North, New York U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle maps. Sheet 3, of Exhibit A, shows the proposed project overlaid on the USGS maps.

The Phelps Natural Gas Pipeline Project will be located in the Town of Phelps and Town of Geneva, Ontario County, New York. NYSEG intends to rebuild its existing Phelps Tap Regulator Station located on Lester Road in the Town of Phelps and replace approximately 5-miles of existing 10-inch steel natural gas main with a new 12-inch steel gas main starting in 2018. The proposed 12-inch pipeline will commence at the Phelps Tap Regulator Station and



convey natural gas in a southeasterly direction to its termination at a new District Regulator Station (DRS). The new pipeline will be certified to operate at a maximum allowable operating pressure (MAOP) of 300 psig. The new DRS at the Southern terminus will be located on Pre-Emption Street in the Town of Geneva. The MAOP of the piping from the new DRS to a proposed interconnect with NYSEG's 12-inch CM-23 pipeline on Pre-Emption St. will be 203 psig.

The purpose of this project is to increase the reliability of NYSEG's existing Geneva Gas Distribution System by removing existing system constraints and allowing a redundant source of gas supply to the area to be more effectively utilized on a continual basis. Operation of the existing 10-inch steel gas main that is being replaced will be reconfigured and continue to provide safe, reliable gas service to existing customers.

§85-1.2(a)(2)(i) Its length (and the nominal diameter of its segments), including markers required by paragraph 9 of Appendix 14-K of 16 NYCRR Part 255;

The proposed Phelps Natural Gas Pipeline Project will be a 12-inch diameter, Grade X52, 0.375-inch wall thickness, steel pipeline, approximately 5-miles in length. Aboveground pipeline markers will be installed, as shown in Exhibit A, at all public road crossings, stream crossings, changes in direction and where necessary to identify the pipeline location to minimize the possibility of damage or interference.

§85-1.2(a)(2)(ii) Depth at which pipe will be buried;

The proposed pipeline will be installed with a minimum of 36-inches in cover with the exceptions of 48-inch minimum cover in agricultural lands, 60-inch cover under roads, roadside ditches and railroads, and 72-inch minimum cover beneath streams.

§85-1.2(a)(2)(iii) Maximum allowable operating pressure (psig);

The proposed pipeline from The Phelps Tap Regulator Station to the new District Regulator Station (DRS) on Pre-Emption Street will be certified to operate at a MAOP of 300 psig; however, it will operate at 220 psig. The MAOP of the proposed piping from the new District Regulator Station to the interconnect with NYSEG's existing 12-inch CM-23 pipeline on Pre-Emption St. will be certified at 203 psig.

§85-1.2(a)(2)(iv) R/W width;

The proposed pipeline will have a 40-foot wide permanent right-of-way along the entire route with an additional 40-foot wide temporary ROW for a work area during construction. The total width of the construction ROW will be 80-feet. Additional temporary workspaces will be provided at road, stream and wetland crossings as indicated on the drawings in Exhibit A. The permanent 40-foot ROW will be maintained at a width of 20-feet.

§85-1.2(a)(2)(v) Width of any area to be cleared;

Construction activities within stream, wetland, and high-value forested areas will be limited to a clearing width of 60-feet in some cases to minimize environmental impacts as shown in Exhibit A. The remaining ROW along the proposed route will be cleared to the full 80-foot width.

§85-1.2(a)(2)(vi) Any known underground facilities to be crossed or paralleled;

There are 11 occurrences where existing underground facilities will be crossed and/or paralleled by the proposed pipeline. The underground facilities are listed below in Table 1 and are shown on the drawings in Exhibit A. There are no sanitary sewers in the Town of Phelps or the Town of Geneva that will be crossed by the proposed pipeline. There are no known stormwater conveyance systems other than natural streams and roadside swales. Prior to the start of construction, owners of the underground facilities will be notified in accordance with the requirements of New York State Industrial Code Rule 753 (16 NYCRR 753). Underground facility owners who are members of the one-call system, Dig Safely New York, will be notified prior to construction.

Table 1. Underground Facilities to Be Crossed		
Facility	Owner	Station
Fiber Optic	Finger Lakes Technology Group	51+15
Natural Gas Pipeline	NYSEG	57+60
Fiber Optic	AT&T	67+20
Natural Gas Pipeline	NYSEG	90+05



Fiber Optic	AT&T	91+55
Fiber Optic	AT&T	113+85
Drain Tile	Privately Owned	133+55
Drain Tile	Privately Owned	134+55
Drain Tile	Privately Owned	137+45
Natural Gas Pipeline	NYSEG	163+75
Natural Gas Pipeline	Buckeye Partners LLC.	171+25

§85-1.2(a)(2)(vii) Name or permit number of any wells to be connected to the line;

NYSEG has no plans to connect any wells to the gas line.

§85-1.2(a)(2)(viii) The point where the line connects to another pipeline (giving the nominal diameter of such line and the owner's name);

The proposed pipeline will commence at NYSEG's existing Phelps Tap Regulator Station, located at 2032 Lester Road, in the Town of Phelps, New York where NYSEG receives gas from Dominion Energy Transmission International (DTI). The proposed DRS includes an interconnect to NYSEG's 12-inch diameter CM-23 pipeline on the west side of Pre- Emption Street in the Town of Geneva, New York. These connection points are shown in Exhibit A.

§85-1.2(a)(2)(ix) Existing or proposed access roads to be used for construction and maintenance of the line and any associated compressor station;

Access to the project for construction will be from existing public roads and from designated temporary private access roads (with owner's permission) along the proposed ROW. Access for future maintenance of the line will be from existing public roads at the proposed pipeline road crossings and from the permanent access roads at the Phelps Tap Regulator Station and from the proposed DRS. The proposed temporary off-right-of-way access roads are shown on the drawings in Exhibit A.

§85-1.2(a)(2)(x) For any new or expanded compressor station, a site development plan (at a scale of at least 1-inch=20-feet), showing: location; setbacks to property lines; structures (giving profile, materials and finish); grading and landscaping; drainage



provisions; number, type, size and model of the compressor(s) and silencer(s); and the materials and design of any noise abatement structures;

There are no plans to expand or develop a compressor station for this project.

§85-1.2(a)(2)(xi) The name of every municipality in which any portion of the line is to be located;

The proposed Phelps Natural Gas Pipeline Project will be located within the Towns of Phelps and Geneva, Ontario County, New York and shown in Exhibit A.

§85-1.2(a)(3) An indication of which measures and techniques from the approved EM&CS&P to which the applicant has agreed (or any site-specific modification thereof) will be followed in an effort to minimize or avoid adverse environmental impact on sensitive resources affected by the line(s) to the maximum extent practical:

NYSEG will adhere to the appropriate procedures in the referenced Environmental Management & Construction Standards & Practices (EM&CS&P). The measures and techniques that will be followed in an effort to minimize or avoid adverse environmental impacts on sensitive resources are indicated by the checklist in Exhibit C and by those standards and practices described in the Stormwater Pollution Prevention Plan (SWPPP) in Exhibit D.

A qualified construction supervisor will be on the job at all times when the Project is underway. The qualifications of the construction supervisor are: a minimum of a four-year degree in engineering or related course studies in project management and construction supervision or demonstrated knowledge and experience directly related to project management and construction supervision.

A qualified environmental monitor, with stop-work authority, will be on-site during the start-up of each operation and at all times during construction in streams and wetlands. The environmental monitor will also be available to the construction supervisor to provide advice on any environmental issues that may arise. The qualifications of the environmental monitor are: a minimum of a four-year degree in forestry or related environmental discipline or demonstrated equivalent knowledge including courses in ecological sciences, and two-years' experience in environmental construction inspection. The environmental monitor must also

be qualified to conduct and document stormwater inspections in compliance with NYSDEC requirements.

A qualified agricultural monitor shall be on site during the start-up of each operation and at all times during construction on agricultural land. The agricultural monitor will also be available to the construction supervisor to provide advice on any agricultural issues that may arise. The qualifications of the agricultural monitor are: a minimum of a four-year degree Agronomy or Soil Science or related agricultural discipline or demonstrated equivalent knowledge, including courses in biology, agricultural science, or other related fields, and two-years’ experience in agricultural construction inspection.

§85-1.2(a)(3)(i) Existing and officially approved planned residential, commercial, industrial, institutional, recreational and agricultural land uses;

The majority of the proposed route is located in the Town of Phelps in districts zoned as Agricultural Residential (RAG), and Commercial (C-1). The southernmost section of the proposed route falls under the jurisdiction of the Town of Geneva in a district zoned Industrial (I-1). Property owners along the pipeline route can be categorized into three major groups: residential, commercial, and agricultural, with a large portion comprised of agricultural use. No recreational areas are impacted. All zoning districts through which the pipeline crosses allow public utility and/or transportation use. Exhibit I contains a list of property owners that would be impacted by the Phelps Natural Gas Pipeline Project and maps of the zoning districts for both the Town of Phelps and Geneva.

The following land cover types within the Project area are based on the 2011 National Land Cover Database (NLCD). Environmental Solutions & Innovations, Inc., (ESI) identified six different agricultural land use types, but concluded that no significant impacts to these agricultural lands are anticipated. The pipeline crosses through 10 land cover types in total, as outlined in Table 2 below.

Table 2. Summary of Land Cover Types Within the Limits of the Project			
NLCD Land Cover Type	NLCD Land Cover Class Definition	Linear Feet	%
Cultivated Crops	Annual crops (corn, soybeans, vegetables, tobacco, cotton) & perennial woody crops (orchards, vineyards).	14,800	47.84



	Crop vegetation >20% of total vegetation; includes actively tilled land		
Deciduous Forest	Trees >16 feet tall; >20% of total vegetation cover; >75% shed foliage simultaneously in response to seasonal change	190	0.48
Developed, High Density	People reside or work in high numbers (apartment complexes, row houses, and commercial/industrial); 80 to 100% of total cover= impervious surfaces	240	2.42
Developed, Medium Density	Mixture of constructed materials and vegetation; 50 to 79% of total cover= impervious surfaces	1,535	5.96
Emergent Herbaceous Wetlands	Perennial herbaceous vegetation >80% of total vegetative cover; soil or substrate periodically saturated with or covered with water	195	1.08
Grassland, Herbaceous	Graminoid or herbaceous vegetation >80% of total vegetation; not subject to intensive management (tilling) can be used for grazing	3,140	9.00
Mixed Forest	Trees >16.4 feet tall; >20 % total vegetation cover; neither deciduous nor evergreen species >75% total tree cover	3,425	14.20
Pasture, Hay	Grasses, legumes, or grass-legume mixtures planted perennially for livestock grazing or seed/hay crop production; >20% of total vegetation	3,885	15.70
Shrub Scrub	Shrubs (true shrubs, young trees in an early successional stage, or trees stunted from environmental conditions) >16 feet tall with shrub canopy >20% of total vegetation	820	3.22
Woody Wetlands	Forest or scrubland vegetation >20% total vegetative cover; soil or substrate periodically saturated with or covered with water	0	0.08

NYSEG will apply, as applicable, the standards and practices specified in the New York State Department of Agriculture and Markets (NYSDAM) – “Agricultural Mitigation Through the Stages of Project Planning, Construction/Restoration and Follow-up Monitoring” for the areas of the pipeline that affect agricultural resources. Moreover, Article 25AAA – “Agricultural and Farmland Protection Program”, and the Ontario County Agricultural Enhancement Plan have been reviewed, and this project conforms to the guidelines outlined in both documents.



NYSEG has consulted with the Ontario County Soil and Water Conservation District, property owners, reviewed public records, and completed surveys for locations of known existing drainage tile installations. The maps in Exhibit G indicate potential places for tile drains within the Ontario County Soil and Water Conservation District. If these, or any other functional tile lines are encountered during construction, NYSEG agrees to restore them in accordance with the requirements set forth in the EM&CS&P and the NYSDAM's Mitigation Plan.

Surface drainage ditches will be preserved during construction, and no strip-cropping, diversion terraces, or waste management conveyance or storage systems will be affected by the Project.

§85-1.2(a)(3)(ii) Ecosystem resources, including highly erodible soils, wetlands, flood plains, streams, springs, wells, unique old-growth forests, active sugarbushes, productive timber stands, trees listed in the Registry of Big Trees in New York State and habitats of rare, threatened and endangered species (from wetlands on, these resources can be identified in cooperation with the landowners and the Department of Environmental Conservation);

The following are ecosystem resources and findings evaluated by NYSEG in the order listed above. Resources utilized to identify ecosystem resources include, but are not limited to, maps and databases hosted online by the Natural Resources Conservation Service (NRCS), the New York State Department of Environmental Conservation (NYSDEC), New York Natural Heritage Program (NHP), US Fish and Wildlife Service (USFWS) and Federal Emergency Management Agency (FEMA). Protected species habitat assessments and aquatic resources were also field evaluated by Environmental Solutions & Innovations, Inc. (ESI) and their findings are summarized below:

Highly Erodible Soils: NRCS soils survey maps were reviewed and 18 soil series were identified within the limits of the Project, none of which are considered highly erodible. There are minimal erodibility concerns because there is no significant grading proposed outside of standard pipeline trenching practices on relatively flat terrain. In addition, upon Project completion, a vegetative cover will be established to

prevent and mitigate any erosion concerns. The full details of each soil type can be found in Exhibit D.

Wetlands: The proposed project was reviewed against the NYSDEC Environmental Resource Mapper and USFWS National Wetland Inventory (NWI) Mapper. No NYSDEC or USFWS mapped wetlands were identified within the proposed project ROW. A wetland delineation was also conducted by ESI along the proposed route to identify any unmapped federally regulated wetlands. Of the 14 wetlands identified and delineated, six Palustrine Emergent (PEM) and four Palustrine Scrub Shrub (PSS) wetlands will be impacted by this project and are summarized in Table 3 below. All wetlands on this project are proposed to be crossed by an open cut method. There will be no loss of wetland or clearing of a Palustrine Forested wetland (PFO) for this project. Therefore, no wetland mitigation is proposed.

Table 3. Summary of Wetland Impacts						
Wetland	Cowardin Class	Impact (S.F.)	Impact (Acres)	Jurisdiction	Centroid Latitude	Centroid Longitude
A	PSS	5001	0.11	USACE	42.924408°	77.024891°
B	PEM	1911	0.04	USACE	42.924525°	77.020834°
C	PEM	3115	0.07	USACE	42.924328°	77.012076°
D	PEM	3033	0.07	USACE	42.921023°	77.002012°
G	PSS	4674	0.11	USACE	42.909399°	76.991816°
I	PEM	777	0.02	USACE	42.905740°	76.976480°
J	PEM	1959	0.04	USACE	42.901398°	76.972094°
K	PSS	7908	0.18	USACE	42.900601°	76.968692°
P	PEM	1917	0.04	USACE	42.925323°	77.030104°
Q	PSS	665	0.02	USACE	42.905361°	76.987243°

Floodplains: This project was reviewed against FEMA’s Flood Hazard Mapping and no part of the proposed pipeline route is considered to be in a mapped floodplain area. A floodplain map is provided in Exhibit E.



Streams: The field survey identified three Class C streams crossed by this project, as shown in Table 4. None of the streams temporarily impacted by this project support trout habitat or trout spawning, thus none are considered “protected” waters of New York State. All aquatic resources (wetlands and streams) impacted by this project drain to unnamed tributaries (UNTs) that discharge to Canandaigua Outlet.

Table 4. Summary of Stream Impacts						
Stream	Stream Designation	OHWL (ft.)	Depth (in)	Stream Flow	Centroid Latitude	Centroid Longitude
E	Class C	1.5	0	Ephemeral	42.917492°	76.998892°
L	Class C	2.5	5	Intermittent	42.909406°	76.991708°
O	Class C	4	24	Intermittent	42.922438°	77.003171°

Springs & Wells: No springs were identified along the Project route. However, several private wells were identified during field investigations and were avoided by the proposed pipeline route. The Project is not expected to impact any of these wells, all of which are shown in Exhibit A.

Unique Old-Growth Forests, Active Sugarbushes, Productive Timber Stands, & Trees Listed in the Registry of Big Trees in New York State: Trees within the limits of the Project will be cut and removed from the site. NYSYEG will compensate the property owners for any merchantable timber removed from their property. A sugar maple tree stand along a portion of the proposed route was identified on the Day Brothers property (tax account #062.00-1-24.1). Field investigations were completed to identify, survey, and document these trees. Correspondence and an on-site meeting with the affected landowner was conducted to review the pipeline route. The proposed pipeline was ultimately routed down an existing utility corridor and farm path to minimize impacts to his operation. NYSEG will provide compensation for any unavoidable impacts to the sugarbush operation. No old-growth forests or Big Trees will be impacted by this project.

Habitats of Rare, Threatened and Endangered Species: Correspondence with USFWS New York Ecological Services Field Office and the NYSDEC NHP documenting potential presence of rare and endangered species is found in Exhibit J. Agency responses indicated federally-listed Northern Long-Eared Bat (*Myotis septentrionalis*) and the Bald Eagle (*Haliaeetus leucocephalus*) may occur within 1-mile of the Project area; however, after conducting a comprehensive field survey no critical habitat was found.

Northern Long-Eared Bat: ESI identified and assessed areas for Northern Long-Eared Bat roosting potential within the Project. No habitat areas were ranked as “high-habitat suitability”. Areas ranked as low or moderate only have a reasonable chance of being used if the bats are already present in the surrounding landscape. There are no known hibernacula in Ontario county. Therefore, impacts to the Northern Long-Eared Bat are unlikely.

Bald Eagle: Crucial habitat elements for the Bald Eagle, such as open water and evergreen forest, do not occur within the project limits, thus it is not likely the Bald Eagle uses this habitat, and significant impacts to the Bald Eagle are unlikely.

§85-1.2(a)(3)(iii) Officially designated visual resources, including scenic areas, roads, vistas and overlooks;

The proposed pipeline route will not cross any officially designated visual resources such as scenic areas, designated roads, and/or overlooks. However, the proposed pipeline will cross two township roads, two county roads, one State Route (S.R.), five private drives, and two railroads. The public road and railroad crossings along with crossing method are listed in Table 5 below.

Table 5. Roads to Be Crossed		
Road	Crossing Method	Station
County Road 23	Open-Cut	35+80



Lester Road	Open-Cut	51+34
County Road 6	Conventional Bore	89+87
Carter Road	Open-Cut	155+67
Finger Lakes Railway Corp.	Conventional Bore	197+03
State Route 14	Conventional Bore	233+46
Norfolk Southern Railway Co.	Conventional Bore	229+35

§85-1.2(a)(3)(iv) Officially designated cultural resources, including archaeological sites and historic districts, places and properties.

No areas along the proposed route are currently included in the National Register of Historic Place. A Phase IA and IB Archeological Sensitivity Assessment and Survey report, issued by H.A.Z.Ex in June, 2017, identified two potential National Register Eligible (NRE) sites and has been submitted for review. These sites are shown on Exhibit A and are more than 150-feet away from the edge of the limits of disturbance. No other sites were identified within, or adjacent to, the Project corridor. No modern or historic standing structures will be adversely impacted by the Project.

§85-1.3(a)(1)(ii) The information required by: §85-1.2(c)(2)

§85-1.2(c)(2) A list of applicable State and local laws and regulations issued thereunder, including copies of any local ordinance, law, resolution or other regulation issued thereunder, including copies of any local ordinance, law, resolution or other action, any regulation issued thereunder, or any local standard or requirement that, as applied to the line, the applicant believes to be unreasonably restrictive in view of the existing technology, factors of cost or economics or the needs of consumers:

Section 130 of Public Service Law (PSL) preempts state agencies and municipalities from requiring any approval, consent, permit, certificate or other condition for the construction or operation of an Article VII transmission facility for which a certificate has been issued by the Commission. Due to this, NYSEG will not be submitting for an operating permit in either the Town of Geneva or Phelps, or will NYSEG submit for a site preparation permit from the Town of Geneva. However, Section 126(g) of the PSL requires the Commission to apply state and local laws and regulations pertaining to the proposed pipeline, except the



Commission may refuse to apply to the proposed facilities such local laws or regulations it finds are unreasonably restrictive in the view of existing technology, factors of cost, economics, or the needs of consumers.

NYSEG intends to apply for all applicable state, county, and town highway work permits, as well as, building permits from the Towns of Phelps and Geneva. The Towns of Phelps and Geneva zoning codes and laws were reviewed with regard to their potential impact on the proposed project. All laws considered applicable are summarized in Exhibit H. NYSEG intends to request waivers from the Public Service Commission for the following:

Code Section	Requirement	Statutory Basis	Reason for Waiver
Local Law #2 of 2014, Chapter 93 Landscaping Review Standards	Law requires landscaping of lots in all zones	Needs of consumers; factors of cost or economics	The existing lot size and layout of proposed station are not conducive to the required minimum number of trees and shrubs. Furthermore, any obligation to obscure the station from view would affect the security of the station. The costs associated with landscaping the property would be unreasonably restrictive and would outweigh any benefit of applying such a provision for consumers.
Local Law #3 of 2011, Chapter 92 Exterior Lighting Law Specifically 92-6 Exceptions	Construction or emergency lighting is temporary and discontinued immediately upon completion of emergency necessitating said lighting	Needs of consumers	Such a provision is unreasonably restrictive due to negative impact to the security of the station. The station will have permanent mounted lighting, which will not operate from dusk to dawn. NYSEG personnel will have to throw an exterior switch near the gate for station lighting to operate.
Local Law #3 of 1998, Chapter 96 Noise	Parcel is zoned R-AG and has code defined industrial use, ordinance has 50 db maximum with reduced nighttime	Factors of cost or economics; existing technology	Noise is unavoidable given the nature of the proposed activities. The station regulators will operate at 85+/- dBA under peak load. During operation the



	levels (-5 dBA) in Residential Zones		applicant may incur emergency conditions where the citation of loud noise is unavoidable or obtaining approval to work outside the permitted hours is impractical or impossible. Compliance with these requirements may result in unnecessary delays, increased costs to project construction, or result in unreasonable restrictions to its operation.
Zoning, Chapter 145-11 Special Uses	Section E: Board of Appeals shall require suitable planting or screening	Needs of consumers; factors of cost or economics	Any obligation to obscure the station from view through planting or screening practices would affect the security of the station. The costs associated with landscaping the property would be unreasonably restrictive and add costs to the project. The costs to consumers would outweigh any benefit of applying such a provision.
Zoning, Chapter 145-27 Fences	The code states all fences must be erected on the property line	Factors of cost or economics; needs of the consumers	Fence type has been designed for security reasons and only to cover the extent of the station yard. The station yard is considerably smaller than the parcel property lines and the additive cost to extend the fencing for this provision would add unreasonable costs to the project and would add no value to the consumer.

Table 7. Town of Geneva – Code Waivers

Code Section	Requirement	Statutory Basis	Reason for Waiver
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General Legislation, Chapter 77-7 Fence Material	The following fences and fencing materials are specifically prohibited (except for agricultural uses in active farm areas): Barbed wire	Needs of consumers; existing technology	Station security fence has 7' of chain-link and 12" of barbed wire. The following provision would interfere with security measures.
General Legislation, Chapter 165-10 Density Control Schedule	Minimum lot size 300' x 400' area 3 acres	Factors of cost or economics; existing technology	Station requires only 0.9 acres. Such provisions would require more property than would be otherwise required, resulting in an increase in costs. These requirements are unreasonably restrictive and any costs to consumers would outweigh benefits to applying them.
General Legislation, Chapter 165-40 Construction of Parking Areas	Parking areas shall be paved with an all-weather surface of asphalt or concrete. The individual spaces shall be visibly marked with paint or other durable material	Factors of cost or economics; existing technology	Interior of fenced area will be gravel. Such provisions would require additional costs.
General Legislation, Chapter 165-41 Landscaping	At least 8% of the area of the lot usable for off-street parking shall be devoted to landscaping with lawn, trees, shrubs or other plant material	Factors of cost or economics; existing technology	The interior of the fenced area will be gravel. Requirements to devote a certain percentage to landscaping would incur additional costs on the applicant and interfere with security measures. Thus, is unduly restrictive.

Other Applicable Regulations

Any impacts to regulated wetlands will require permits from the USACE. Federal permits are not waived by the Article VII process. Linear projects are typically authorized under an existing Nationwide Permit (NWP); NWP #12 authorizes Utility Line Activities in federally regulated wetlands subject to certain conditions. NYSEG will consult with the USACE for applicability of NWP #12.

Pursuant to the Clean Water Act, and as required by the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, a Stormwater Pollution Prevention Plan (SWPPP) has been prepared on behalf of



NYSEG for the Phelps Natural Gas Pipeline Project. Neither the Town of Phelps nor Geneva are considered MS-4 communities. However; the Town of Geneva requires a stormwater management and erosion control plan to be submitted and approved prior to any land clearing, land grading, earth moving, or development activities commence. However, because Section 130 of Public Service Law (PSL) preempts state agencies and municipalities from requiring any approval, consent, permit, certificate or other condition for the construction or operation of an Article VII transmission facility for which a certificate has been issued by the Commission, NYSEG will not be submitting a plan for review to the Town of Geneva. A Notice of Intent (NOI) will be sent to NYSDEC, Division of Water, Bureau of Water Permits to obtain coverage under a State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges Associated with Construction Activity (Permit #GP-0-15-002). A copy of the SWPPP for the Project is provided in Exhibit D.

Under Section 404 of the Clean Water Act, a permit issued by the Army Corps of Engineers (USACE) is required because the proposed pipeline crosses USACE jurisdictional waters. USACE Nationwide Permit 12, authorized under Federal Section 404 Clean Water Regulations, allows placement of NYSEG's proposed pipeline in these waters subject to NYSEG obtaining a Section 401 Water Quality Certificate. NYSEG hereby requests the 401 Certificate from the Public Service Commission.

§85-1.3(a)(2) A description using text and detailed construction-type map (at a scale of 1-inch=400-feet, or larger) showing the centerline and the specific relationship of the line to such features as:

(i) Sensitive resources which will be affected by the line, as defined in 85-1.2(a)(3) of this Subpart
As depicted in Exhibit A, the Phelps Natural Gas Pipeline Project commences at the existing Phelps Tap Regulator Station, located in the Town of Phelps, Ontario County, New York at 2032 Lester Road. The proposed line will be approximately 5-miles long. The line proceeds in a southerly direction roughly 2,530-feet through two active agricultural properties before entering a meadow area at the rear of the property behind a deteriorating barn on the west side of Lester Road. The proposed line will then continue approximately 900-feet through the meadow area, across a split rail fence and through an area formerly used as a pasture before crossing County Road 23. At the County Road 23 crossing, the line will pass under two existing overhead NYSEG electric lines.

After crossing County Road 23, the pipeline will continue in a southerly direction for approximately 650-feet through a sparsely forested area, a barbed wire fence, into an active agricultural field and across field-delineated PEM Wetland (P). Here, the pipeline will travel roughly 900-feet southeast to cross Lester Road, a Finger Lakes Technology Group Fiber Optic Cable, and overhead NYSEG electric lines.

Once across Lester Road the proposed pipeline will continue east approximately 3,850-feet parallel to an existing AT&T right-of-way (ROW) through an active pasture area, active sugar-maple operation, and active agricultural field before reaching County Road 6. Through this area the pipeline will cross under an existing NYSEG pipeline and AT&T coaxial cable, as well as a PSS Wetland (A) and a PEM Wetland (B).

The pipeline then proceeds east across County Road 6, traveling under an existing NYSEG distribution gas pipeline and overhead electric line. Once across County Road 6, the proposed pipeline will continue another 80-feet then turn northeasterly for approximately 115-feet before continuing east across PEM Wetland (C) for approximately 1,805-feet. At that point, the proposed pipeline will cross through a residential yard and agricultural field before turning southeast onto an existing NYSEG overhead electric transmission ROW. The line will then continue southeast for roughly 4,540-feet parallel to and approximately 40-feet west of existing NYSEG electric transmission lines along the ROW through multiple active agricultural fields to Carter Road. While crossing the aforementioned lands, two Class C streams (O & E) and field delineated PEM Wetland (D) will be crossed by the pipeline.

At this point, the pipeline will turn easterly and continue 80-feet across Carter Road, an existing overhead NYSEG electric line, and the NYSEG overhead electric transmission line. Once across Carter Road, the proposed pipeline will traverse in a southeasterly direction parallel to, and approximately, 40-feet east of the existing NYSEG electric transmission line for approximately 865-feet where it will cross under NYSEG's existing CM-22 gas main. The proposed pipeline will continue southeasterly parallel to the electrical transmission line minimizing impacts to multiple residential properties with frontages along Carter Road.

The pipeline will cross back under the overhead NYSEG electric transmission line to continue southeast along the west side of the NYSEG electric ROW for approximately 3,115-feet. It will cross under an existing Buckeye Partners, LLC pipeline, across one PSS Wetland (G), and one Class C Stream (L) before proceeding east roughly 160-feet and cross under the Finger Lakes Railway and associated fencing. Here, the proposed workspace area along the east side of the railroad corridor will impact a PSS Wetland (Q).

At this point, the proposed pipeline will continue roughly 2,600-feet east through an overgrown meadow area, mixed forested area, and active agricultural area to State Route (S.R.) 14. While crossing S.R.14, the proposed pipeline will cross under one overhead NYSEG electric line. After crossing S.R.14 the proposed line will continue east an additional 715-feet through a meadow area with associated PEM Wetland (I), thence under the Norfolk and Southern Railway.

Immediately after crossing the Norfolk and Southern Railway, the proposed pipeline turns south and runs parallel to the Norfolk and Southern Railway for roughly 1,315-feet through an active agricultural field to an existing Buckeye Partners, LLC pipeline ROW. Once at the Buckeye ROW the proposed route turns southeast and runs parallel to and on the north side of the Buckeye Partner's existing pipeline for approximately 1,310-feet through the same active agricultural field, crossing one PEM Wetland (J) to a mixed forest area.

The proposed pipeline continues to parallel the Buckeye pipeline ROW for an additional 1,410-feet through the mixed forest area and across a high tensile wire fenced-in horse pasture before re-entering the active agricultural field. The proposed pipeline will cross one PSS Wetland (K) in the mixed forest area prior to entering into the horse pasture.

Finally, the proposed pipeline turns easterly and runs parallel to the northern property boundary of the active agricultural field for approximately 605-feet to a proposed district regulator station within an approximately 80-foot by 130-foot fenced area where it terminates at an above ground internal inspection pig receiver piping assembly. The outlet piping of the district regulator station will interconnect with NYSEG's existing CM-23 pipeline on the west side of Pre-Emption Street in the Town of Geneva, Ontario County, New York as shown in Exhibit A.

(ii) Property boundaries, fences, walls, and hedgerows to be crossed;

Property boundaries, fences, walls and hedgerows crossed by the proposed pipeline are shown in Exhibit A.

(iii) Any dwelling within 150-feet.

There are five dwellings, as well as, four barns, two garages, and one utility building within 150-foot of the proposed pipeline as shown in Exhibit A.

§85-1.3(a)(3) A statement explaining the need for the line, including:

(i) A demonstration that a market (or specific purchaser) for the gas will exist;

The project addresses asset condition by replacing existing station equipment and associated buildings, and by installing a new gas pipeline and district regulator station to accommodate a higher design delivery pressure and capacity from Dominion Energy Transmission International (DTI). This will allow NYSEG greater flexibility and reliability in its operation of the Phelps Tap Regulator Station and delivery of service to the existing NYSEG customers. Further, the upgrades will enhance NYSEG’s ability to deliver gas from Empire Pipeline into the Geneva distribution system through the new DRS. This is a replacement project serving an existing customer base. Therefore, the market currently exists. The forecasted annual market demand for NYSEG is statewide, not specific to the Geneva division.

Table 8. NYSEG Annual Sales (in MDT)					
Annual	2017-18	2018-19	2019-20	2020-21	2021-22
Firm					
Sales	24,464	24,116	24,181	24,115	24,072
Transportation	28,744	28,622	28,680	28,659	28,671
Non-Firm					
Sales	599	618	618	618	618
Transportation	2,508	2,473	2,473	2,473	2,473
Total	56,316	55,829	55,952	55,866	55,834

(ii) Where the applicant will serve retail customers, a demonstration that gas supplies will be adequate to serve existing and potential consumers during the first 10 years of the line’s operation;



NYSEG has several executed long-term transportation agreements with Dominion Energy Transmission International and one with Empire Pipeline (“Empire”) that provide wholesale access to the abundant Marcellus Shale supply and Canadian supply basin. Each agreement for these interstate pipeline service providers contains a right-of-first-refusal that, in accordance with each pipeline’s Federal Energy Regulatory Commission (FERC) approved tariff, preserves NYSEG’s right to continue the contracted service beyond present termination dates. The following contracts are utilized to supply the Geneva division as well as other areas within NYSEG:

Pipeline Company Name & Contract Number	Rate Schedule	Daily Quantity (DT)	Expiration Date
Dominion Energy Transmission International - 100036	FTNN	80,140	3/31/2022 (E)
Dominion Energy Transmission International - 100120	FTNN	20,000	3/31/2020 (E)
Dominion Energy Transmission International - 200058	FT	8,000	3/31/2022 (E)
Dominion Energy Transmission International - 200392	FT	700	3/31/2025 (E)
Dominion Energy Transmission International - 5B7282	FT	2,300	10/31/2025
Empire Pipeline, Inc. - F12132 (Arcadia Delivery Point)	FTNN	20,000	3/31/2021

(iii) A showing (if well-drilling is not contemplated in conjunction with the line) of the improvements in system reliability, capability, safety or benefits offered by the line.

The proposed upgrades include:

- Replacement of all existing, undersized and outdated station equipment and associated buildings;
- Replace associated pipe assemblies and update odorization equipment;
- Replace over-pressure protection and station operation and control devices to accommodate increased change in design delivery pressure and capacity from DTI;

- Addition of an internal pipeline inspection launcher and receiver for integrity management of the pipeline asset;
- Update remote monitoring and communication equipment with state-of-the-art electronics for long term reliability and accurate control of station operations.

Also as part of the proposed project system enhancements, the operating pressure of the new facility will be increased from 162 psig to 220 psig. This, combined with the planned removal of a closed valve constraint between the Phelps Tap Regulator Station and the Geneva market area along with the addition of a new DRS at the terminus of the pipeline at Pre-Emption Street in the Town of Geneva will allow for increased system reliability and greater opportunity to deliver natural gas from a second and redundant source of supply to existing customers in the Geneva market area.

§85-1.3(a)(4) Any other additional information the applicant considers relevant:

Invasive Species: Concurrent with aquatic resource field surveys, invasive plants were investigated within the Project. During these surveys, the following invasive plant species were identified, documented, and mapped: common buckthorn (*Rhamnus cathartica*), morrow’s honeysuckle (*Lonicera morrowii*), multiflora rose (*Rosa multiflora*), garlic mustard (*Alliaria petiolata*), common reed (*Phragmites australis*), and autumn olive (*Elaeagnus umbellata*). Of the species documented, there were no instances of giant hogweed (*Heracleum mantegazzianum*). No formal survey was conducted for invasive insects such as the Emerald Ash Borer (*Agilus planipennis*); however, ESI biologists did not observe identifiable signs of invasive insects while conducting the surveys. An Invasive Species Control Plan (ISCP) is provided in Exhibit K. Below, Table 10 lists the invasive species found at 10 different locations within the Project.

Location ID	Species Name	Total Acreage in Limits of the Project
IS-001	Lonicera morrowii, Rhamnus cathartica, Rosa multiflora	1.602
IS-002	Alliaria petiolata	.257
IS-003	Phragmites australis	.003
IS-004	Phragmites australis	.008



IS-005	Lonicera morrowii, Rosa multiflora	.119
IS-006	Lonicera morrowii	.351
IS-007	Rhamnus cathartica	.234
IS-008	Lonicera morrowii, Rosa multiflora, Elaeanus umbellata, Rhamnus cathartica	.096
IS-009	Rhamnus cathartica	.471
IS-010	Rhamnus cathartica	.079
Total:		3.22

Sectionalizing Valves: The proposed pipeline will be equipped with sectionalizing block valves installed at each end of the proposed pipeline with a third valve installed within a fenced site on the east side of Carter Road, as shown in Exhibit A. At each sectionalizing valve location, a blow-down valve, above grade valve operators, and associated piping will also be installed.

Pig Launcher/Receiver: The proposed pipeline has been designed for the passage of internal inspection devices and will be equipped with a pig launcher at the Phelps Tap Regulator Station and a pig receiver at the proposed DRS. The pipeline will be fabricated using barred tees where required and 3R butt-welded steel fittings of the same pipe schedule and material grade as the pipeline.

Steel Pipe Fittings and Flanges: Steel fittings and flanges used in the construction of the proposed pipeline and appurtenant facilities shall be manufactured to meet the requirements set forth in Specification MSS SP-75 and MSS-SP-44 respectively for high yield strength applications. The steel used in the fabrication of the steel butt-welded fittings and flanges will match that of the pipeline with a minimum yield strength of 52,000 psi. Butt weld elbows will be fabricated with a minimum bend radius of 3 times the nominal diameter of the fitting to accommodate the passage of internal inspection devices.

Steel Pipe Coatings: The steel pipe will be factory-coated with either Fusion Bonded Epoxy (FBE) or polyethylene(PE) over butyl rubber. Pipeline installed in wetlands, streams, or under roads, by horizontal directional drilling or conventional bore method shall be coated with FBE and 40 mils of Abrasion Resistant Overcoating (ARO).

Corrosion Protection: The proposed pipeline will contain several weld-in type insulators and sacrificial anodes will be buried at selected locations along the pipeline route.

Hydrostatic Testing: The proposed pipeline, associated regulator and DRS's, appurtenance and piping facilities will be tested to meet or exceed the requirements of 16 NYCRR Part 255 of the PSC's Safety Code for Gas Pipelines. For the test, NYSEG intends to obtain water from an approved clean source. About 162,000 gallons of water will be used. The proposed pipeline will be filled and tested as one section for the 12-hour duration after pressure stabilization. There will be one discharge site for the test water. At the water discharge site, NYSEG will create a temporary settling pond lined with geotextile fabric and surrounded by straw bales or a similar sediment trap. Exit velocity will be controlled with a valve and/or diffuser nozzle at the discharge point.

Temporary Extra Work Space and Staging Areas: NYSEG will confine all construction activity within the permanent and temporary easement areas along the proposed pipeline route. Some additional temporary extra work space is necessary and is identified in Exhibit A at features such as road, railroad, environmental and foreign utility crossings. These temporary extra work space requirements will be secured through acquisition of temporary easements. The proposed equipment and material staging areas for the project are shown in Exhibit A. NYSEG proposes to utilize the open field at the northeast corner of S.R.14 and Skuse Road as well as at the proposed site of the District Regulator Station on Pre-Emption St. and the existing site of NYSEG's Phelps Tap Regulator Station as staging areas.

Desktop Route Selection: Multiple pipeline routes were studied through a comprehensive desktop analysis process that collected site specific information within a defined study area. These data records helped guide selection of the proposed route with regard to environmental and economic considerations, as well as both feasibility and constructability. The information analyzed in the desktop analysis includes, but is not limited to:

- Impacts to property owners and properties
- Use of existing utility corridors
- Placement of facilities in previously disturbed areas
- Sensitive areas and developed vs. undeveloped areas
- Agricultural districts and zoning districts

- Land cover
- Soil characteristics
- Depth of bedrock and groundwater
- Public utilities and foreign gas pipelines
- Wetlands, streams and flood zones
- Rare, threatened, and endangered species and fisheries
- Critical and environmentally sensitive areas
- Conservation easements
- Road and railroad crossing locations
- Construction feasibility

Field Routing Evaluation: Upon completion of the Desktop Analysis, field routing exercises were conducted by the NYSEG design team. The proposed pipeline route has been reviewed, and walked by, representatives from the New York State Department of Agriculture & Markets, the New York Department of Public Service, and NYSEG on March 6, 2017.

§85-1.3(b) The Applicant shall file and serve the application, in accordance with the requirements of §3.5 of this Title and serve one copy each on:

NYSEG has served a copy of the Application for a Certificate of Environmental Compatibility and Public Need for the Phelps Natural Gas Pipeline Project upon all of the required parties, as listed in the Certificate of Service section, found on pages v-ix.

- (1) the central office and the appropriate regional offices of:
 - (i) the Department of Environmental Conservation; and
 - (ii) the Department of Transportation;
- (2) the Commissioner of Agriculture and Markets;
- (3) the State Archaeologist;
- (4) the State Historic Preservation Officer;
- (5) any other State agency which has authority to administer and enforce compliance with any legal provision listed in response to the requirement of subparagraph (a)(1)(ii) of this section; and
- (6) the chief executive officer of every municipality in which any portion of the line is to be located.

§85-1.3(c) Proof of service shall accompany the application.

Proof of service is included in the Certificate of Service section starting on page v.



WHEREFORE, NEW YORK STATE ELECTRIC & GAS CORPORATION respectfully requests that the Commission issue a Certificate of Environmental Compatibility and Public Need pursuant to Article VII of the Public Service Law for the facility described herein.

Respectfully submitted,



Gregory A. George
Director of Gas Design & Delivery
New York State Electric & Gas Corporation

State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
to
Construct a Fuel Gas Transmission Line
Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT A

Construction Drawings

State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
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Under Article VII, Section 121-a of
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Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
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EXHIBIT B

Winterization Plan

State of New York
Public Service Commission

Application
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Under Article VII, Section 121-a of
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Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT C

Environmental Management & Construction Standards & Practices (EM&CS&P) Checklist

State of New York
Public Service Commission

Application
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Construct a Fuel Gas Transmission Line
Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT D

Stormwater Pollution Prevention Plan

State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
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Construct a Fuel Gas Transmission Line
Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
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EXHIBIT E

Floodplain Map

State of New York
Public Service Commission

Application
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Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
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EXHIBIT F

**New York State Historic Preservation Office Response
Letter**

State of New York
Public Service Commission

Application
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New York State Electric & Gas Corporation
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Under Article VII, Section 121-a of
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Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT G

Agricultural Mitigation Through the Stages of Project Planning, Construction/Restoration & Follow-up Monitoring

State of New York
Public Service Commission

Application
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New York State Electric & Gas Corporation
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Under Article VII, Section 121-a of
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Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT H

Potentially Applicable Laws and Regulations

State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
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Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT I

Public Outreach

State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
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Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT J

**Rare Threatened Endangered Species Response Letters
from USFWS and NYSDEC**

State of New York
Public Service Commission

Application
of
New York State Electric & Gas Corporation
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Construct a Fuel Gas Transmission Line
Under Article VII, Section 121-a of
The Public Service Law

Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
Ontario County, New York

EXHIBIT K

Invasive Species Control Plan

State of New York
Public Service Commission

Application
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Phelps Natural Gas Pipeline Project
Towns of Phelps and Geneva
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EXHIBIT L

Construction Road Use Plan