

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case 11-T-0534 - Application of Rochester Gas and Electric Corporation for a Certificate of Environmental Compatibility and Public Need for the Construction of the "Rochester Area Reliability Project," Approximately 23.6 Miles of 115 Kilovolt Transmission Lines and 1.9 Miles of 345 Kilovolt Line in the City of Rochester and the Towns of Chili, Gates and Henrietta in Monroe County.

AFFIDAVIT OF DEBRA WEGMAN

STATE OF NEW YORK)
) ss.:
COUNTY OF MONROE)

Debra Wegman, being duly sworn, deposes and says:

1. I am the Supervisor of Property Management-Real Estate for Rochester Gas and Electric Corporation ("RG&E").
2. Among my responsibilities is the acquisition of rights-of-way for transmission projects RG&E intends to construct.
3. Since June 20, 2011, when I wrote to Thomas Krenzer prior to the filing of RG&E's application for a certificate of environmental compatibility and public need ("certificate") in this proceeding, providing him an overview of the Rochester Area Reliability Project ("RARP") and requesting a meeting with him, I have been in contact with Thomas Krenzer many times concerning the RARP. A copy of my June 20, 2011 letter to Thomas Krenzer is attached to this affidavit as Exhibit A.

4. Attached to this affidavit as Exhibit B is a "Summary of RG&E- Krenzer Meetings." This summary lists 18 different contacts RG&E had with members of the Krenzer family about the RARP prior to the issuance of a certificate for the RARP.

5. As the summary shows, these contacts included face-to-face meetings with me, other representatives of RG&E, and an appraiser hired by RG&E to prepare an appraisal of the property rights RG&E would need from Thomas Krenzer to construct the RARP.

6. Thomas Krenzer granted RG&E written permission to access his property for the purpose of performing surveys and other preparatory work by letter dated July 12, 2011. A copy of this letter is attached to this affidavit as Exhibit C.

7. At a meeting of October 5, 2011 with Thomas Krenzer to discuss moving the location of Station 255 to the east and where the access road to Station 255 would cross his property, I gave Thomas Krenzer a copy of RG&E's Application to the Public Service Commission for a certificate of environmental compatibility and public need for the RARP.

8. RG&E's contacts with the Krenzlers also included calls to both Thomas Krenzer and David Krenzer concerning a property visit scheduled for August 14, 2012 to view the proposed site of Station 255 and the route Circuits 940 and 941 would have to take across the lands of David and Marie Krenzer.

9. At the explicit request of Thomas Krenzer, RG&E agreed to move the location of proposed Station 255 400 feet to the east, to reduce the impact of Station 255 on the Krenzer farming operation. The new location, which was explicitly incorporated into the Joint Proposal submitted to the Public Service Commission, is immediately adjacent to the 100 foot buffer zone of a state regulated wetland. That area has been clear cut because of an infestation of the emerald ash borer in trees on that area. On April 8, 2013, RG&E discussed with Thomas

Krenzer the possibility of purchasing that land from the Krenzlers and using it for environmental mitigation for wetlands that will be impacted by the RARP.

10. A route across David and Marie Krenzlers' lands is needed because, despite diligent efforts, RG&E was unable to obtain easement rights for Circuits 940 and 941 over nearby land that is subject to a federal Department of Agriculture conservation easement. Obtaining such easement rights over the land subject to the conservation easement would have been a precondition to requesting from the federal Department of Agriculture release of the easement land from the federal conservation easement. Attached to this affidavit as Exhibit D is a summary of those efforts entitled, "The Anna Gunther Living Trust." This summary lists 11 different contacts RG&E had with members of family associated with the Anna Gunther Living Trust about obtaining for the RARP easement rights over the land subject to the conservation easement.

11. On or about July 26, 2012, RG&E was advised by the representative of the owner that the entire property was for sale, that he would not grant RG&E an easement, that he would not tell RG&E the name of the potential buyer, and that RG&E would have to wait until the land was sold and then ask the new owner if the new owner was willing to sell an easement across the land to RG&E.

Debra Wegman

DEBRA WEGMAN

Sworn to before me this 11 day
of June, 2013

Stephen M. Bly
Notary Public



EXHIBIT A



June 20, 2011

COPY

Mr. Thomas J. Krenzer
2380 Scottsville Road
Scottsville, NY 14546

RE: RG&E Rochester Area Reliability Project ("RARP")
Town(s) of Chili, Gates and Henrietta and City of Rochester - Monroe County

Dear Mr. Krenzer:

In order to continue to provide reliable electric power to its customers throughout its service territory, Rochester Gas and Electric Corporation ("RG&E") is designing improvements to its electric transmission and distribution system (the "RARP Project") that will impact certain property in which you have ownership rights. The purpose of this letter is to give you an overview of the RARP Project so that you understand the impact of the RARP Project on you and your property.

Under authorization of the New York State Public Service Commission ("PSC"), RG&E intends to construct a new transmission line within the towns of Chili and Henrietta and make improvements to its existing transmission system in the towns of Chili and Gates and within the City of Rochester. The improvements will include the construction of a new electric substation. The PSC authorization process requires that RG&E consider alternative construction pathways and select a pathway that best serves the public interest, convenience and necessity. Using that criteria, RG&E has currently sited the new substation upon your property at 2380 Scottsville Road (on the east side of Scottsville Road, immediately south of and adjacent to the Adirondack-Lewiston 345kv Transmission Easement).



RG&E understands that this impact on your property has a tangible value for which you are entitled to be fairly compensated. At this time, we would like to schedule a meeting with you to discuss the RARP Project, the proposed substation site, RG&E's reasons for choosing this pathway and compensation for the land/easement acquisition.

Will you please contact me at your earliest convenience to schedule a meeting discuss this matter at a time that is convenient to you? My telephone number is (585) 771-2134. It is RG&E's intent to provide you with all the information you need to effectively evaluate the Project as it affects you. Thank you in advance for your consideration in this matter.

Very truly yours,

Debra A. Wegman

Debra A. Wegman
General Services - Real Estate

EXHIBIT B

SUMMARY OF RG&E - KRENZER MEETINGS

DATE OF MEETING / CONTACTS	PURPOSE OF MEETING/CONTACT ISSUES RESOLVED	OPEN ITEMS
6/20/2011 Letter to Thomas Krenzer (Debra Wegman - RGE)	Overview of RARP Project and request for in person meeting to discuss RARP	Meeting scheduled for 7/12/2011
7/11/2011 Letter to Thomas Krenzer (Debra Wegman - RGE)	Letter requesting property access for preparatory work	N/A
7/12/2011 Meeting with Thomas Krenzer and son, Tom Yurik (IEP), Kurt Doern (SeCo) and Debra Wegman (RGE)	Discuss RARP Project including Station 255 location and Article VII filing process Signed property access letter for preparatory work received	Provide Thomas Krenzer with copy of Article VII application (when filed)
10/2/2011 Letter to Thomas Krenzer (Debra Wegman - RGE)	Courtesy letter re: property access for topographical survey	N/A
10/5/2011 Meeting with Thomas Krenzer, Jeff James (Midland Appraisal) and Debra Wegman (RGE)	Discuss Station #255 site for appraisal purposes Deliver copy of Article VII application	Thomas Krenzer request to move Station #255 more to the east (edge of wetlands)
10/12/2011 Meeting with Thomas Krenzer, Jeff James (Midland Appraisal) and Debra Wegman (RGE)	Walk Station #255 site for appraisal purposes	Request to plot 500 year Flood Plain (to determine if Station #255 can be shifted east)

DATE OF MEETING / CONTACTS	PURPOSE OF MEETING/CONTACT ISSUES RESOLVED	OPEN ITEMS
<p>11/14/2011 Phone Call to Thomas Krenzer (Debra Wegman - RGE)</p>	<p>Courtesy phone call re: property access for soil and geotechnical testing and wetland and flood plain delineation survey Confirmed with Thomas Krenzer that his crops have been harvested (to allow for contractor access without disruption to farming activities)</p>	<p>Working on relocation drawings to move Station #255 400' east to edge of wetlands</p>
<p>11/23/2011 Phone call to Thomas Krenzer (Debra Wegman - RGE)</p>	<p>Courtesy phone call re: NYPA field visit scheduled for 12/2/2011</p>	<p>N/A</p>
<p>3/30/2012 Phone call to Thomas Krenzer (Debra Wegman - RGE)</p>	<p>Courtesy phone call re: property visit (DEC and RGE) scheduled for 4/2/2012 (to view proposed Station #255 relocation)</p>	<p>N/A</p>
<p>8/10/2012 Phone calls to Thomas and David Krenzer (Debra Wegman - RGE)</p>	<p>Courtesy phone call re: property visit (PSC/DEC/Ag&Mkt/RGE) scheduled for 8/14/2012 to view proposed Station #255 relocation and alternate route around Conservation Easement</p>	<p>N/A</p>
<p>12/6/2012 Phone call to Thomas Krenzer (Debra Wegman - RGE)</p>	<p>Courtesy phone call re: Archaeological Survey</p>	<p>N/A</p>
<p>1/25/2013</p>	<p>Mailed Offer Package to Thomas Krenzer for Station 255 and associated transmission easement(s) (Debra Wegman - RGE)</p>	<p>N/A</p>

DATE OF MEETING / CONTACTS	PURPOSE OF MEETING/CONTACT ISSUES RESOLVED	OPEN ITEMS
<p>2/1/2013 David Dunning (Town of Chili Supervisor) telephone call to Terry Lattimore (RGE) on behalf of the Krenzer's</p>	<p>Expressing Krenzer's concerns and requesting that RGE meet with Thomas and David Krenzer at the Chili Town Hall to discuss the following items:</p> <ul style="list-style-type: none"> - Access Road - Property Compensation - Town's support - General questions regarding the land 	<p>Schedule meeting</p>
<p>2/6/2013 Meeting to Discuss Offer Package Concerns David Dunning (Town of Chili Supervisor), Thomas and David Krenzer, Neil Coyle (IEP), Jay Parikh (IEP), Terry Lattimore and Debra Wegman</p>	<p>Review Offer Package Concerns:</p> <ol style="list-style-type: none"> (1) Compensation Values determined by Midland Valuation (2) Substation #255 Location, Layout, Access and Drainage (3) Alternate Route around Conservation Easement <p>RG&E Inquiry re: Replanting of Wetlands east of Station #255</p>	<ol style="list-style-type: none"> (1) Compensation Values (does not like values determined by Midland Valuation) (2) Substation #255 Location, Layout, Access and Drainage (3) Alternate Route around Conservation Easement 2 Additional Easements (4) Replanting of Wetlands east of Station #255
<p>2/22/2013 Follow up to 2/6/2013 meeting with Town of Chili Supervisor and the Krenzer's</p> <p>Attendees: David Dunning (Town of Chili Supervisor), Thomas Krenzer, David Krenzer, Jay Parikh (IEP), Terry Lattimore, Debra Wegman and Jeff James (Midland Appraisal)</p>	<ol style="list-style-type: none"> (1) Jeff James (Midland Appraisal) reviewed comparable sales used for analysis (28 parcels) (2) Substation #255 Location, Layout, Access and Drainage (3) Alternate Route around Conservation Easement (4) Replanting of Wetlands east of Station #255 <p>Provided Summary of Offer for all Krenzer Parcels (estimated values will be</p>	<ol style="list-style-type: none"> (1) Compensation Values (Krenzer to secure a second appraisal for RGE review) (2) Interruption to farming during initial construction year (Krenzers to provide to RGE) (3) Alternate Route around Conservation Easement (offered to meet Krenzers in the field to discuss pole locations) (4) Substation #255 Access (Krenzers to select access point

DATE OF MEETING / CONTACTS	PURPOSE OF MEETING/CONTACT ISSUES RESOLVED	OPEN ITEMS
	honored if higher than actual appraisal value)	<p>– Scottsville or Milewood Rd)</p> <p>(5) RG&E Inquiry re: Replanting of Wetlands east of Station #255 (Thomas Krenzer is considering)</p>
<p>3/15/2013 Follow up call to Thomas Krenzer (Terry Lattimore - RGE)</p>	<p>RGE informed Thomas Krenzer that RG&E is awaiting updates on the following:</p> <ul style="list-style-type: none"> - Compensation for loss of farming during initial construction year - Second Opinion Appraisal of property rights to be acquired - Preferred location of Substation #255 Access Road (Scottsville Road or Milewood Road) <p>RGE and Krenzer's will meet to discuss pole placement for Alternate Route around Conservation Easement</p> <p>RGE will provide Thomas Krenzer with Hydraulic Study (once completed) to document that the substation will not cause any drainage problems on his property post-construction</p>	<p>Awaiting updates from Thomas Krenzer on the following:</p> <ul style="list-style-type: none"> - Compensation for loss of farming during initial construction year - Second Opinion Appraisal of property rights to be acquired - Preferred location of Substation #255 Access Road (Scottsville Road or Milewood Road) <p>Schedule RGE/Krenzer site visit to discuss pole placement for Alternate Route around Conservation Easement during the engineering design phase</p> <p>RGE will provide Hydraulic Study once completed</p>
<p>3/15/2013</p>	<p>Substation layout drawing and summary of open items letter hand delivered by Jay Parikh (IEP)</p>	<p>N/A</p>

<p align="center">DATE OF MEETING / CONTACTS</p>	<p align="center">PURPOSE OF MEETING/CONTACT ISSUES RESOLVED</p>	<p align="center">OPEN ITEMS</p>
<p align="center">3/26/2013 Thomas and David Krenzer, Jay Parikh (IEP) and Terry Lattimore (RGE)</p>	<p>Stopped by Thomas Krenzer's house to follow up on Krenzer's open action items</p> <p>Thomas Krenzer appears to be accepting of the location of Station #255 with the access from Milewood Road (Krenzers do not want access from Scottsville Road)</p> <p>Extended offer to BUY the wetland parcel vs. re-planting</p>	<p>Awaiting updates from Thomas Krenzer on the following:</p> <ul style="list-style-type: none"> - Compensation for loss of farming during initial construction year - Second Opinion Appraisal of property rights to be acquired - Confirmation that preferred location of Substation #255 Access Road is from Milewood Road (Krenzers do not want access from Scottsville Road) - Response regarding wetland purchase

EXHIBIT C



July 12, 2011

Mr. Thomas J. Krenzer
2380 Scottsville Road
Scottsville, NY 14546

RE: Entry Agreement Rochester Area Reliability Project

Dear Mr. Krenzer:

In order to continue to provide reliable electric power to its customers throughout its service territory, RG&E is designing improvements to its electric transmission and distribution system. Upon obtaining authorization from the New York State Public Service Commission, RG&E intends to construct a new 345 kV electric transmission line within the towns of Chili and Henrietta, and make improvements to its existing 115 kV electric transmission system in the Town of Chili, the Town of Gates and the City of Rochester. The improvements also include the construction of a new substation in the Town of Chili.

RG&E plans to access your property situated in the Town of Chili, County of Monroe and State of New York, known as 2380 Scottsville Road and bearing Tax Map Number 174.03-1-24, for the purposes of performing surveys and other investigations including boring and test pits ("Preparatory Work"), subject to the following conditions:

- Employees and agents will carry RG&E identification at all times and will accompany contract employees when on your property.
- RG&E employees, agents and contractors shall leave the premises in as good condition as found
- RG&E shall promptly and effectively remediate any and all damage resulting from or arising out of the Preparatory Work, to your reasonable satisfaction at RG&E's sole cost and expense.

Please sign this letter in the indicated place below to confirm your understanding that RG&E will access your property for purposes of performing Preparatory Work only, and return the executed letter in the enclosed postage paid envelope provided.

Should any questions arise about RG&E's entry, please feel free to contact me at 585-771-2134.

Thank you in advance for your consideration in this matter.

Very truly yours,

A handwritten signature in purple ink that reads "Debra A. Wegman".

Debra A. Wegman
General Services-Real Estate

Access is hereby granted for the above referenced property address for purposes set forth above.

Signed: A handwritten signature in black ink that reads "Thomas J. Krenzer".
Thomas J. Krenzer

