

NYPSC Case 11-T-0654

Application
of
New York State Electric & Gas Corporation
for
Certificate of Environmental Compatibility and Public Need Pursuant to
Article VII, Section 121-a of the Public Service Law

Seneca West Pipeline Interconnect
Towns of Big Flats and Horseheads, and Village of Horseheads
Chemung County, New York

APPENDIX D

Property Owner Survey Notification Letter

KEVIN V. RECCHIA, ESQ.
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P: 585.362.4717

June 20, 2011

**VIA FIRST CLASS MAIL AND
UPS NEXT DAY AIR**

{Property Owner Name }
{Property Owner Address}
{Property Owner City}

Dear Property Owners:

Our law firm has been retained by New York State Electric & Gas Corporation (“NYSEG”) in connection with its entry rights for a proposed gas transmission pipeline project. Specifically, and as you know from earlier correspondence, NYSEG is proposing to construct a new 5-mile natural gas transmission pipeline from the Seneca Lake Gas Storage Facility West Pipeline west of Upson Road in the Town of Big Flats through the Town of Horseheads to Gardner Road in the Village of Horseheads.

Employees of NYSEG have sought your permission through written correspondence and conversations to gain access to your property, situated in the Town of Big Flats, County of Chemung, and State of New York, known as Tax Map Number(s) 47.00-1-33.212, for the purpose of performing surveys and other investigations, including borings and test pits (“Preparatory Work”). Thus far, you have refused to grant that permission.

Because NYSEG’s schedule for completion of the Preparatory Work will not permit further delay, we must inform you that as authorized by Section 404 of the Eminent Domain Procedure Law of the State of New York (“EDPL”), NYSEG, its employees, agents and/or contractors will enter upon your above-referenced property on and after June 29, 2011 for the purpose of completing Preparatory Work.

Employees and agents will carry NYSEG identification at all times and will accompany contract employees when on your property.

NYSEG will leave the premises in as good condition as found. Nonetheless, NYSEG shall be liable to the property owner for any damages caused by NYSEG as a result of the entry, but such damages shall not entail duplicate payment of damages to be compensated for by NYSEG pursuant to Article Three of the EDPL. Entry damages, if any, shall not be deemed an acquisition.

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If you have any questions about this letter, I recommend you retain an attorney and have him or her contact me. In addition, if you have questions about the Preparatory Work planned for your property, please contact Christine Baker of NYSEG at 607.324.3524, extension 218.

Very truly yours,

BOND, SCHOENECK & KING, PLLC

Kevin V. Recchia
Member

KVR/sh