

Joel J. Terragnoli
Direct Dial: 716.848.1370
jterragn@hodgsonruss.com

January 16, 2018

Honorable Kathleen H. Burgess
Secretary to the Commission
New York State Public Service Commission
Empire State Plaza Building 3
Albany, NY 12223-1350

Honorable Sean Mullany (Sean.Mullany@dps.ny.gov)
Administrative Law Judge
State of New York
Department of Public Service
Three Empire State Plaza
Albany, NY 12223-1350

Honorable Richard A. Sherman (Richard.Sherman@dec.ny.gov)
Office of Hearings and Mediation Services
NYS DEC
625 Broadway, First Floor
Albany, New York 12233-1550

Dear Secretary Burgess and ALJs Mullany and Sherman:

Re: Quarterly Report for Intervenor Funding for Case 14-F-0485, *Application of Lighthouse Wind LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 201 MW Wind Energy Facility.*

Our office represents the intervenor the Town of Yates in the above-referenced Article 10 case before the New York State Board on Electric Generation Siting and the Environment.

In accordance with the Ruling on Intervenor Funding and Deadline for Submitting Funding Requests issued January 16, 2016, and the requirements of 16 NYCRR 1000.10, the Town is submitting the following report for the quarterly period Q4 2017, indicating the monies that have been spent on behalf of the Town in relation to this proceeding during that period, and describing the work performed.

1) Accounting Information – 16 NYCRR 1000.10(a)(11)(i).

Quarter/Period	Expenditures	Professional/Firm
Q4 2017	\$ 867.30	Hodgson Russ LLP
Total Prior Expenditures Incurred	\$30,769.11	
Total Expenditures this Quarter	\$867.30	
<u>Total Intervenor Funds Awarded</u>	<u>\$20,500.00</u>	
Prior Disbursement Request Amount	\$20,500.00	

Copies of the Hodgson Russ LLP invoices reflecting the specific tasks performed during these periods—broken down by professional, task description, and time spent per task—may be submitted to ALJs Mullany and Sherman under separate cover, depending on the availability of intervenor funding.

2) Description of Work Performed – 16 NYCRR 1000.10(a)(11)(ii).

(a) Provide the results of any studies and a description of any activities conducted using the intervenor funds.

During the Q4 2017 quarterly period, Hodgson Russ LLP reviewed comments and other pre-application documents filed with the DPS, participated in negotiations between the Town and Applicant, prepared quarterly reports and other documents for filing, provided legal advice to the Town, and generally assisted the Town in participating in the pre-application proceedings, per the Town’s instructions.

(b) State whether the purpose for which the funds were awarded has been achieved.

The purpose for which the funds were awarded has been achieved. As a result of the award, the Town was able to retain legal consultation to insure that Town concerns were adequately addressed during stipulation negotiations with the applicant. This was the specific purpose for which the pre-application intervenor fund was created—i.e. “to defray pre-application expenses incurred by municipal and local parties [] for expert witness, consultant, administrative and legal fees.” N.Y. Public Service Law § 163(a); New York Public Service Commission, “The Fund for Municipal and Local Parties: A Guide to Intervenor Funding

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Pursuant to Article 10 of the Public Service Law,” (Feb. 14, 2013), [http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/6fd11ce8db088a2785257e200054a99b/\\$FILE/02420356.pdf/Guide%20to%20Intervenor%20Funding%202-14-13.pdf](http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/6fd11ce8db088a2785257e200054a99b/$FILE/02420356.pdf/Guide%20to%20Intervenor%20Funding%202-14-13.pdf) (noting the pre-application fund is generally intended “to defray certain expenses incurred by municipal and local parties as they participate in the pre-application scoping process. . .”).

(c) If the purpose for which the funds were awarded has not been achieved, whether reasonable progress toward the goal for which the funds were awarded is being achieved and why further expenditures are warranted.

The purpose for which the funds were awarded has been achieved. That said, the Town has incurred expenses in excess of the intervenor funding award, and anticipates that additional monies will need to be expended to fully participate in the pre-application proceeding as the stipulations process continues.

Please contact me with any questions or concerns.

Respectfully submitted,

/s/ Joel J. Terragnoli
Joel J. Terragnoli

JJT/sy

cc: DMM Party List