



NIXON PEABODY LLP
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

Richard M. Cogen
Partner
T 518-427-2665
rcogen@nixonpeabody.com

677 Broadway, 10th Floor
Albany, NY 12207-2996
518-427-2650

January 16, 2015

VIA FIRST CLASS MAIL

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

RE: Modification of Certificate of Environmental Compatibility and Public Need for the Bethlehem Energy Center, Case No. 97-F-2162

Dear Secretary Burgess:

On behalf of PSEG Power New York LLC (“PSEGNYS”), we are submitting for filing with the New York State Board on Electric Generation Siting and the Environment 10 paper copies and one electronic copy (on CD) of PSEGNYS’s Petition for an amendment of its Certificate of Environmental Compatibility and Public Need for the Bethlehem Energy Center (“BEC”).

Included with this transmittal letter are: (1) an affidavit of service, prepared pursuant to 16 NYCRR §1000.16(b)(6), showing that a copy of the Petition was, or will contemporaneously be, served upon all parties required to be served, (2) the Notice required by 16 NYCRR § 1000.16(b)(3), and (3) the Petition seeking the amendment of the BEC’s Certificate of Environmental Compatibility and Public Need. The Notice was submitted for publication in the Bethlehem Spotlight (newspaper of record for the Town of Bethlehem), the Albany Times-Union, the Ravena News Herald, and the Troy Record; affidavits of publication will be submitted to the Board upon receipt.

The modification is requested to allow for the replacement of certain components within the three combustion turbines at the BEC, and for certain changes to related software programs (collectively, the “Upgrades”). As set forth in more detail in the Petition, the Upgrades will allow the BEC to operate more efficiently, thus improving the facility’s heat rate and reducing the amount of wear and tear on key turbine components. Since the equipment being replaced is within the combustion turbines themselves, and will not result in any increase in air emissions from the facility, the Upgrades will result in very little, if any, impact on the environment or the surrounding community.

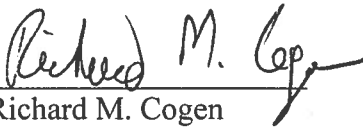
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PSEGNY looks forward to working with the Board on the review and approval of the enclosed Petition.

Respectfully submitted,


Richard M. Cogen

Enclosures

cc: Attached service list

**NEW YORK STATE
BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT**

**Petition of PSEG Power New York LLC,
for a Modification of its Certificate of
Environmental Compatibility and Public
Need for the Bethlehem Energy Center,
dated February 28, 2002**

Case 97-F-2162

STATE OF NEW YORK)
COUNTY OF ALBANY) SS.:

LAWRENCE NAILS, being duly sworn, deposes and says:

I am over 18 years of age, not a party to this action and reside in the State of New York.

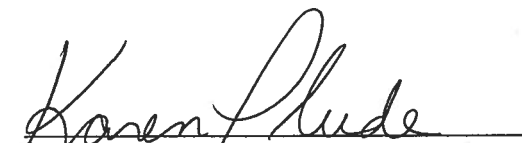
On the 16th day of January, 2015, in the City of Albany, Albany County, New York, I mailed a copy of the Petition of PSEG Power New York, LLC, for a Modification of its Certificate of Environmental Compatibility and Public Need for the Bethlehem Energy Center pursuant to Article X of the New York State Public Service Law, and a Notice of Petition, to each party listed on the attached Service List by depositing the same properly enclosed in a postpaid wrapper in a post office box regularly maintained by the government of the U.S., in the City of Albany, Albany County, New York.

By:



Lawrence Nails

Sworn to before me this
16th day of January, 2015


Notary Public

KAREN PLUDE
Notary Public, State of New York
No. 01PL6224192
Qualified in Warren County
Commission Expires June 28, 2018

**PSEG – BETHLEHEM ENERGY CENTER
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COPIES REQUIRED BY 16 NYCRR §1000.16

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Robert Garlin, Chief Administrative Law Judge New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350	1
David Van Ort, Esq., Staff Counsel New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350 Phone: (518) 474-6530	1
Franz T. Litz, Esq. or General Counsel NYS Department of Environmental Conservation 625 Broadway Albany, NY 12233	1
Thomas J. McGuire, Esq. NYS Department of Environmental Conservation 625 Broadway, 14 th Floor Albany, NY 12233-5500 Phone: (518) 402-9212	1
Daniel Luttinger, Ph.D., Director Bureau of Toxic Substance Assessment NYS Department of Health Corning Tower, Room 1743 Empire State Plaza Albany, NY 12237 Phone: (518) 402-7800	1
David W. Quist, Esq. NYS Department of Health Corning Tower, Room 2421 Empire State Plaza Albany, NY 12237	1
Michael Hughes, M.S. Exposure Characterization & Response Section	1

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Bureau of Toxic Substance Assessment NYS Department of Health Corning Tower, Room 1743 Empire State Plaza Albany, NY 12237 Phone: (518) 402-7800	
Regional Permit Administrator NYS Department of Environmental Conservation, Region 4 625 Broadway Albany, NY 12233-1750	1
Jeffrey L. Gerber NYS Energy Research and Development Authority 17 Columbia Circle Albany, NY 12203-6399	1
John Clarkson, Supervisor Town of Bethlehem 445 Delaware Avenue, Room 106 Delmar, NY 12054 Phone: (518) 439-4955, ext. 1164	1
Michael Whiteman, Esq., Counsel for Town of Bethlehem Whiteman Osterman & Hanna LLP One Commerce Plaza Albany, New York 12260 Phone: (518) 487-7600	1
Anthony Corellis, Commissioner Public Works Department Town of East Greenbush 225 Columbia Turnpike Rensselaer, NY 12144 Phone: (518) 477-4775	1
Alex Shannon, Chair Rensselaer County Environmental Management Council Rensselaer County Government Center 1600 Seventh Avenue, Third Floor Troy, NY 12180 Phone: (518) 270-2880	1
General Counsel or Executive Director Scenic Hudson, Inc. 9 Vassar Street Poughkeepsie, NY 12601 Phone: (845) 473-4440	1
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Name/Address	Number of Copies
78 North Broadway, E-House White Plains, NY 10603 Phone: (914) 422-4141	
General Counsel Riverkeeper 20 Secor Road Ossining, New York 10562 Phone: 800-21-RIVER	1
Katherine Kennedy, Esq. Natural Resources Defense Council 40 West 20 th Street New York, NY 10011 Phone: (212) 727-2700	1
Robert J. Glasser, Esq. Robert J. Glasser, P.C. 248 South Avenue Poughkeepsie, NY 12601 Phone (845) 486-5292	1
Uriel Oko, Ph.D., P.E. Consulting Engineer 11 York Road Glenmont, NY 12077-3241 Phone: (518) 439-7880	1
A. Scott Cauger, Esq. or General Counsel National Grid 300 Erie Boulevard West Law Department A-3 Syracuse, NY 13206 Phone: (315) 428-5418	1
Daniel C. Wiecek National Grid 1304 Buckley Road, 2 nd Fl. North Syracuse, NY 13212 Phone: (315) 460-4057	1
John T. Evers The Business Council of New York State, Inc. 152 Washington Avenue Albany, NY 12210-2289 Phone: (518) 465-7511	1

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OTHER RECIPIENTS

Name/Address	Number of Copies
Edward McTiernan, Esq., Office of General Counsel NYS Department of Environmental Conservation 625 Broadway, 14th Floor Albany, NY 12233-1500 Phone: (518) 402-9185	1
Hon. Audrey Zibelman, Chair NYS Board on Electric Generation Siting and the Environment Empire State Plaza Empire State Plaza Agency Building 3 Albany, NY 12223	1
Richard L. Kauffman NYS Board on Electric Generation Siting and the Environment Empire State Plaza Empire State Plaza Agency Building 3 Albany, NY 12223	1
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Howard A. Zucker, M.D., J.D. NYS Board on Electric Generation Siting and the Environment Empire State Plaza Empire State Plaza Agency Building 3 Albany, NY 12223	1
Joseph Martens NYS Board on Electric Generation Siting and the Environment Empire State Plaza Empire State Plaza Agency Building 3 Albany, NY 12223	1
James Bays, Commissioner NYS Department of Agriculture and Markets 10B Airline Drive Albany, New York 12235	1

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Cesar A. Perales, Secretary of State One Commerce Plaza 99 Washington Avenue Albany, NY 12231-0001 Phone: (518) 474-0050	1
Hon. Eric T. Schneiderman NYS Attorney General The Capitol Albany, NY 12224-0341 Phone: (518) 776-2000	1
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Alison Lovely, Secretary Planning Board Town of East Greenbush 225 Columbia Turnpike Rensselaer, NY 12144 Phone: (518) 477-4775	1
Rose Harvey, Commissioner NYS Office of Parks, Recreation and Historic Preservation 625 Broadway Albany, NY 12238 Phone: (518) 474-0443	1
Director Albany County Department of Economic Development, Conservation and Planning 112 State Street, Room 720 Albany, NY 12207 Phone: (518) 447-5670	1
Daniel P. McCoy, Albany County Executive Albany County Executive Harold L. Joyce Albany County Office Building 112 State Street, Room 900 Albany, NY 12207 Phone: (518) 447-7040	1
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Judith Enck, Regional Administrator U.S. EPA, Region 2 290 Broadway New York, NY 10007-1866	1
George Nieves, Chief, Western Permits Section U.S. Army Corps of Engineers 26 Federal Street, Room 2109 New York, NY 10278-0090	1
John Vandervort	1

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Name/Address	Number of Copies
The Vandervort Group, LLC 111 Washington Avenue, #305 Albany, NY 12210 Phone (518) 463-3202	
Ralph E. Huddleston, Jr., Senior Vice President Carpenter Environmental Associates, Inc. 610 County Route 1, Unit 2F Pine Island, NY 10969 Phone: (845) 781-4844	1
Norman J. Morrison or Director Office of Energy Efficiency and the Environment New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350	1
Anthony J. Grey, Ph.D., Asst. Director NYS Department of Health 2 University Place Albany, NY 12203-3399	1
Kevin Gleason Director, Environmental Health Assessment NYS Department of Health Corning Tower, Room 1619 Empire State Plaza Albany, NY 12237	1
Diane Cooper or Director of Public Affairs New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350	1
Nancy Burt U.S. Forest Service 231 North Main Street Rutland, VT 05701	1
John Williams, Esq. or General Counsel Pace Energy Project 78 North Broadway White Plains, NY 10603	1
Director American Lung Association New York State 3 Winners Circle Albany, NY 12205 Phone: (518) 453-0172	1

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Name/Address	Number of Copies
Art Fossa, Consultant Spectra Environmental 19 British American Blvd. Latham, New York 12110 Phone: (518) 782-0882	1
Kenneth Mennerich, Service Manager Central Hudson Gas & Electric Corp. 284 South Avenue Poughkeepsie, NY 12601	1
Brian Ossias, Esq., Managing Attorney New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350	1
Paul A. Colbert Associate General Counsel Regulatory Affairs Central Hudson 284 South Avenue Poughkeepsie, NY 12601	1
Facility Manager Air Products & Chemicals 461 River Road Glenmont, NY 12077	1
Mark Poole or General Manager Innovative Surface Solutions 454 River Road Glenmont, NY 12077	1

**NEW YORK STATE
BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT**

**Petition of PSEG Power New York LLC,
for a Modification of its Certificate of
Environmental Compatibility and Public
Need for the Bethlehem Energy Center,
dated February 28, 2002**

Case 97-F-2162

**NOTICE OF PETITION FOR MODIFICATION OF CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

Please be advised that pursuant to 16 NYCRR § 1000.15, PSEG Power New York LLC will file a petition on or about January 16, 2015 with the New York State Board on Electric Generation Siting and the Environment for a modification of the Certificate of Environmental Compatibility and Public Need for the Bethlehem Energy Center, located at 380 River Road in the Town of Bethlehem, New York.

The proposed modification is requested to allow BEC to upgrade certain components of its three General Electric GE 7FA.03 natural gas-fired turbines. All of the components to be upgraded are inside the turbines, and the work would simply replace existing parts with newer ones made of better materials and improved design. Software updates would also be installed that would improve output at higher operating loads, and ensure air emission limits would continue to be met at all operating loads. The component replacement and software update would result in an improvement in efficiency (heat rate) of approximately 1.2%, and a reduction in operation and maintenance costs due to the increased durability of the parts, all without affecting air emissions.

Further information, including a copy of the petition, may be obtained from:

Jerry Laurizio, PMP, PE
Project Manager
PSEG Power, L.L.C.
80 Park Plaza
Newark, NJ 07102
(973) 430-3695
Jeremiah.laurizio@pseg.com

Those parties, in addition to parties to the original certification proceedings, who wish to participate in the proceeding on the amendment must so advise the Secretary by sending a written document to:

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

Such written document must be received within ten days after the giving of this notice. Any comments on the petition must be received by the Secretary no later than 30 days after the date on which this notice was given.

**NEW YORK STATE
BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT**

**Petition of PSEG Power New York LLC,
for a Modification of its Certificate of
Environmental Compatibility and Public
Need for the Bethlehem Energy Center,
dated February 28, 2002**

Case 97-F-2162

PETITION FOR AMENDMENT OF ARTICLE X CERTIFICATE

Richard M. Cogen
Peter C. Trimarchi
Nixon Peabody LLP
Attorneys for PSEG Power New York LLC
677 Broadway, 10th Floor
Albany, New York 12207
rcogen@nixonpeabody.com
(518) 427-2650

Date: January 16, 2015

**NEW YORK STATE
BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT**

**Petition of PSEG Power New York LLC,
for a Modification of its Certificate of
Environmental Compatibility and Public
Need for the Bethlehem Energy Center,
dated February 28, 2002**

Case 97-F-2162

PETITION FOR AMENDMENT OF ARTICLE X CERTIFICATE

Pursuant to Part 1000.16 of the New York State Board on Electric Generation Siting and the Environment's ("Siting Board") Rules (16 NYCRR Part 1000), petitioner PSEG Power New York LLC ("PSEGNYS") hereby petitions the Siting Board for an amendment of the Certificate of Environmental Compatibility and Public Need issued for the Bethlehem Energy Center ("BEC" or the "Facility") on February 28, 2002 (the "Certificate").¹

The proposed amendment is requested to allow BEC to upgrade certain components of its three General Electric GE 7FA.03 natural gas-fired turbines. As described in more detail below, GE has been able to achieve higher power output and efficiency, coupled with increased durability, by replacing certain components of its 7FA.03 turbines (known as "Hot Gas Path" parts) with new Advanced Gas Path ("AGP") parts. All of those parts are inside the turbines, and the work would simply replace existing parts with newer ones made of better materials and improved design. Software updates are also available that would ensure emission limits would be met at all operating loads, and improve output at higher operating loads. The component

¹ The Certificate was initially issued to PSEG Power New York, Inc. By letter dated May 6, 2009, PSEG Power New York, Inc. advised the Siting Board that the Certificate Holder had been converted from a corporation to a limited liability company named PSEG Power New York LLC.

replacement and software update (collectively, the “Upgrades”) would result in an improvement in efficiency (heat rate) of approximately 1.2%, and a reduction in operation and maintenance costs due to the increased durability of the parts, all without affecting emissions.

The Upgrades will not constitute a “revision” under either old Article X or New Article 10, and thus can be authorized by PSC pursuant to the amendment procedures set forth in § 1000.16 of the New Article 10 regulations. PSEGNY seeks approval of this amendment before September 1, 2015, so that the Upgrades on at least one of the turbines can be performed as part of any outages that may occur in 2016.² Accordingly, PSEGNY respectfully requests an expedited review of this Petition, and the prompt issuance of the requested amendment.

I. DESCRIPTION OF CHANGES TO THE FACILITY

A. GE’s AGP Upgrade

PSEGNY proposes to upgrade the AGP technology on the existing Combustion Turbines (“CT”) at BEC Unit Nos. 1, 2 and 3. General Electric (“GE”) has made advancements in combustion turbine technology, specifically in the hot gas path components and control system to improve fuel delivery and overall performance. The gas path components utilize improved aerodynamics, seals and cooling design to provide higher efficiency performance and greater power output.

The increase in efficiency will be accomplished by increasing the CT firing temperature; reducing clearances between parts in the hot gas section; and by installing low pressure drop

² If no such outages occur in 2016, the Upgrades would be performed as part of regularly scheduled maintenance outages in 2017 and 2018.

combustion liners. The existing hot gas path components such as buckets, shrouds, nozzles, and associated structural elements will be replaced with functionally identical equipment designed to operate at higher temperatures (see diagrams provided at Attachment 1). Specifically:

- Buckets
 - The buckets are attached to the spinning shaft of the turbine in rows. The exhaust gases push against the buckets causing the turbine to spin. They are sealed at the ends by shrouds.
 - The changes to the buckets include metallurgical modification to better handle the heat and changes to the tips where they meet the shroud for sealing. There are also dimensional changes which allow closer tolerances to the nozzles described below.
- Shrouds
 - The shrouds are stationary metal blocks that form a ring around the buckets within which the buckets rotate. The purpose of the shroud is to form a seal which prevents the exhaust gases from exiting the turbine or leaking past the buckets causing efficiency losses.
 - Changes to the shrouds include metallurgical changes and changes in the grooves which match up with the buckets to provide better sealing properties.
- Nozzles
 - The nozzles are stationary parts that are attached to the frame of the machine. There are several rows of nozzles that are located between the rotating rows of buckets. The purpose of the nozzles is to re-direct the flow of exhaust gases and direct them onto the next row of buckets.
 - The changes to the nozzles include metallurgical modifications to better handle the heat, modifications to the cooling vents and slight dimensional changes to provide closer tolerances to the buckets.
- Associated structural elements
 - Some changes to other elements include combustion liners which have been changed to provide better combustion dynamics and reduced pressure drop and the flow sleeves which direct the flow of air and fuel into the combustion chamber.

Minimal other changes to the BEC will be required in order to support the Upgrades. Currently the only additional changes anticipated to the plant are to replace the boiler feedwater recirculation valves (to ensure that no boiler feedwater leaks past the recirculation valves, which would reduce flow to the heat recovery steam generator), upgrades to the attemperation spray nozzles (to improve steam cooling at low loads), and to add heat transfer area in the heat exchangers for the closed cooling water system (to remove any additional heat from the system that cools various auxiliary motors, bearings, fans etc.). Additional sensors, instrumentation and controls are also included with the AGP technology to support the increased performance. Specifically, these will include additional thermocouples, flow monitoring devices, humidity sensor and pressure devices.

B. Software Upgrades

In order to obtain the full benefit of the component Upgrades, software modifications to the control system must also be completed. The Upgrades include changes to the tuning constants and control curves that provide the operating parameters for the CT. There are also changes that allow peak firing and extended turndown.

The modifications to the tuning constants and control curves ensure that the CT operates as efficiently as possible while maintaining compliance with all emission parameters. The peak firing module enables the operator to fire the unit at a higher rate, boosting the output. The peak firing mode can occur only above 59 °F and will typically only be used during periods of high energy demand. This peak firing mode still maintains compliance with all emission limits. Due to the higher temperatures during peak firing, run time in this mode is limited to 300 hours annually.

The extended turn down function allows the CT to run at lower loads, while again maintaining compliance with all environmental permit parameters. It is expected that the effect of the extended turndown will allow the units to run through periods of lower load and will reduce the number of shutdowns and starts, thus reducing the higher emissions occurring during start-up, as well as wear and tear on the machine.

C. Effect of the Upgrades

The Upgrades are essentially the same as those that have recently been completed on four CTs at the PSEG Linden Generating Station located in Linden, New Jersey, and those planned to be completed on two CTs at PSEG's Bergen Generating Station in Ridgefield, New Jersey. GE has sold over 100 of these upgrade packages, more than 60 of which are retrofits to existing units such as those at BEC. More than 35 of those are currently in operation.

The proposed Upgrades will increase the electrical output of each turbine by approximately 7.2 percent, from a nominal 165 megawatts (MW) to 177 MW. The Upgrades will improve efficiency without impacting existing Title V permit conditions or emission limits. It is expected that a limited modification to BEC's Title V permit will be necessary to add a requirement to track actual emissions for a 10-year period to demonstrate non-applicability of the Prevention of Significant Deterioration and Non-Attainment New Source Review regulatory programs. Other minor changes to the current Title V will include the addition of three processes (or operating scenarios) for a software upgrade involving GE's OpFlex™ Advantage Peak (as "OF3") and GE's software program for minimum load operation with the AGP upgrades on either fuel (as "AG1" for natural gas firing and "AG2" for oil firing). "OF3" will include a limitation on the amount of peak firing operating hours per calendar year (300 hrs/yr/unit).

The Upgrades are not expected to result in any other material environmental impacts. The replacement of the components will generate very little waste, as replaced components will be recycled by the manufacturer. Any remaining waste will be contained and recycled or otherwise disposed of as part of BEC's standard waste collection and recycling practices at the Facility. Since all of the equipment being replaced is indoors and all installation activities will occur indoors, there will be no change in the footprint of the facility, and thus no impacts on the outdoor environment, including surface waters, groundwater, wetlands, and scenic resources. The Upgrades would be performed during a routine shutdown of the Facility while other contractors are also accessing the Facility. Thus, the traffic expected to be generated by this project (30-40 cars over 40 days for installation of the Upgrades on each of the three CTs) will blend in with other contractor traffic the Facility has typically experienced during many other previous shutdowns. Accordingly, the Upgrades are not expected to result in material environmental concerns or other impacts to the surrounding community.

II. PROCEDURE

A. Old Article X Applies to this Petition

The predecessor of PSEG Power New York LLC, PSEG Power New York, Inc., received its Certificate on February 28, 2002 under Article X of the Public Service Law, as it was in effect from July 24, 1992 through January 1, 2003. *See* 1992 N.Y. Session Laws Ch. 519; *as amended by* 1995 N.Y. Session Laws Ch. 83 ("Old Article X"). Despite the enactment of a new siting law in 2011, Pub. Serv. Law § 160 *et seq.* ("New Article 10"), the requirements of Old Article X continue to apply to BEC for the reasons set forth below, and should govern the proceedings related to this Petition.

Section 162(4)(b) of New Article 10 provides a starting point for the analysis of the appropriate procedure for this Petition. That section states that New Article 10 shall not apply:

to normal repairs, replacements, modifications and improvements of a major electric generating facility, whenever built, which do not constitute a violation of any certificate issued under *this article* and which do not result in an increase in capacity of the facility of more than twenty-five thousand kilowatts. (Emphasis added.)

Since BEC's Certificate was not issued under New Article 10, the Upgrades will not constitute a violation of a certificate under that Article. The Upgrades also will not result in an increase in the capacity of the Facility. To determine whether an increase of more than 25 MW will occur at an Article X facility, Siting Board precedent requires comparison of the change in the nameplate rating of the generators as a result of the modification. *Case No. 12-F-0311*, Letter from Siting Board to applicant dated June 27, 2013, at 3. The generators at the Facility are not changing as a result of these modifications – they will continue operating under their existing nameplate rating of 1050.8 MVA.³ Since that nameplate rating is not changing as a result of the Upgrades, the Facility's capacity is not changing. Accordingly, New Article 10 will not apply.

The legislation establishing Old Article X ensured that it would continue to apply to facilities receiving Certificates under that article. 1992 N.Y. Session Law Ch. 519, § 16, states:

. . . the provisions of section six . . . of this act [Old Article X] shall expire and be deemed repealed on January 1, 2003; provided further, however, that the provisions of section six . . . of this act shall remain operative and continue in full force and effect with regard to applications filed on or before December 31, 2002; and provided that nothing in this section shall be construed to limit any administrative authority, with respect to matters included in this act, which existed prior to the effective date of this act.

The regulations implementing New Article 10 acknowledge that Old Article X should be applied to amendments to certificates issued under Old Article X. 16 NYCRR 1000.1 expressly states:

³ MVA is a measure of the generator apparent power. It is equal to the real power output divided by the power factor. Thus a generator with an output of 1000 MW at a power factor of 1 will have an MVA of 1000.

For Certificate revisions, amendments, revocations, suspensions, transfers and compliance matters for major electric generating facilities having Certificates granted pursuant to former Articles VIII and X of the Public Service Law, the provisions of this Subchapter A will be applied in a manner that is consistent with . . . former Article X of the Public Service Law *remaining operative and continuing in full force and effect with regard to applications filed on or before December 31, 2002*, except that any such Certificate revisions, amendments, revocations, suspensions, transfers and compliance matters involving increase of capacity by more than 25 megawatts are subject to the procedures for applications for Certificates and other matters affecting the construction or operation of major electric generating facilities pursuant to Article 10 of the Public Service law without regard to former Articles VIII and X of the Public Service Law. (Emphasis added.)

The continued applicability of Old Article X to certificates issued prior to its expiration has been demonstrated by the Siting Board's continued oversight of projects which received such certificates. *See, e.g.*, Case No. 00-F-2057 and orders issued in 2013 therein.

It is therefore clear that Old Article X is still in effect for purposes of this Petition, and that the Siting Board should review this application in a manner consistent with Old Article X. Since the regulations enacted by the Public Service Commission for New Article 10 expressly replaced Old Article X's regulations, those regulations will govern this modification application.⁴ But as noted above, those regulations must be implemented in a manner that is consistent with Old Article X.⁵

B. The Proposed Upgrades are an Amendment or Modification, Not a Revision

Section 1000.16 of the New Article 10 regulations governs amendments of certificates issued under Old Article X. Section 1000.16(a) requires, as an initial step, a determination of whether a proposed amendment is a "revision." A revision is defined as "an amendment of an

⁴ See *Case No. 12-F-0036*, Siting Board Resolution of July 12, 2012, at 2.

⁵ Whether Old Article X or New Article X applies will ultimately be of little consequence for purposes of this Petition. Aside from a few procedural differences, such as the number of copies to be served, and the trigger for the commencement of the 30-day comment period, the procedure for considering this Petition would essentially be the same under both Old Article X or New Article X. *Compare* Old Article X regulations at 16 NYCRR § 1000.15(b)(2) to current 16 NYCRR 1000.16(b)(2).

application or Certificate proposing or authorizing a change in the facility likely to result in any material increase in any environmental impact of the facility or a substantial change in the location of all or a portion of such facility as determined by the Board.” 16 NYCRR § 1000.2(ak). To determine whether a material increase in any environmental impact of the Facility will occur in connection with a proposed amendment, the criteria for determining significance set forth in 6 NYCRR § 617.7(c) (regulations governing the State Environmental Quality Review Act) will apply. 16 NYCRR § 1000.16(a).

The criteria set forth in 6 NYCRR § 617.7(c) are addressed in Attachment 2. As set forth therein, in light of the fact that (a) the proposed Upgrades merely consist of the replacement of existing parts with similar (but improved) parts and a software upgrade, (b) there will be no increase in air emissions, water use, or waste generation, (c) no changes will be made to the Facility’s footprint or external structures, and (d) additional traffic associated with the Upgrades will be very limited (as it will be performed simultaneously with a previously scheduled maintenance outage, when other contractors will already be working at the Facility), none of the criteria in 6 NYCRR § 617.7(c) will be triggered by the Upgrades. Accordingly, the Upgrades will not be a “revision,” and the procedures applicable to an amendment will apply.

C. Procedures for an Amendment

The procedures for an amendment are set forth in § 1000.16 of the New Article 10 regulations. The certificate holder must file with the Secretary a petition for the approval of the amendment. The petitioner must file copies of the petition with the New York State Department of Environmental Conservation, the Commissioners of Health and Economic Development, the Chair of the New York State Energy Research and Development Authority, and others entitled by law to be given notice of the application for the original certificate. Interested parties then have 30 days from issuance of notice of the petition to submit written comments on the proposed

modification. As this is not a revision, no public hearing is required. *See* § 1000.16(c). Upon expiration of the thirty day comment period, the Board can render its decision.

III. DESCRIPTION OF EXHIBITS PROVIDED

16 NYCRR § 1000.16(b)(2) requires a certificate holder seeking an amendment to provide, “to the extent appropriate,” the data and information required by the regulations that would otherwise be necessary to support an application for a certificate. Based upon consultations with DPS Staff, PSEGNY is submitting the following information, which is appropriate given the limited nature of the modifications to the Facility:

- Exhibit 1: General Requirements
 - Name, address, telephone number, email address, etc. for the applicant (§ 1001.1(f))⁶
- Exhibit 2: Overview and Public Involvement
 - A brief description of the changes to the major components of the facility, interconnections and related facilities (§ 1001.2(a))
 - A brief summary of the contents of the application (§ 1001.2(b))
 - A brief, written overall analysis in plain language that assembles and presents relevant and material facts regarding the proposed project upon which the applicant proposes that the Board make its decision (§1001.2(e))
- Exhibit 3: Location of Facilities
 - Map of the facility, interconnections and ancillary features (USGS/DOT map) (§ 1001.3(a)), simply for reference purposes
- Exhibit 4: Land Use
 - Completed Coastal Assessment Form (§ 1001.4(l))

⁶ All citations in this section are to the New Article 10 regulations, 16 NYCRR § 1000 *et seq.* Note that these are not direct quotations from the regulations, but a more concise statement of the information PSEGNY is submitting following consultation with DPS Staff.

- Exhibit 5: Electric System Effects
 - SRIS prepared by NYISO will be provided when available, and updated as NYISO committee approvals are obtained (§ 1001.5(a))
- Exhibit 7: Natural Gas Power Facilities
 - Estimate of the monthly and hourly gas usage by the facility (§ 1001.7(a)) after the upgrade
 - Statement of the gas pressure required for the gas turbines and how the pressure will be regulated (§ 1001.7(b))
- Exhibit 9: Alternatives
 - A description and evaluation of the no action/no-build alternative at the proposed location (§ 1001.9(f))
- Exhibit 10: Consistency with Energy Planning Objectives
 - Statement demonstrating the degree of consistency of the upgrade with the energy policies and long range energy planning objectives in the most recent state energy plan (§ 1001.10(a))
 - Description of the impact the proposed facility would have on reliability (§ 1001.10(b))
 - Description of the impact the proposed facility would have on fuel diversity (§ 1001.10(c))
 - Description of the impact the proposed facility would have on regional capacity requirements (§ 1001.10(d))
 - Description of the impact the proposed facility would have on electric transmission constraints (§ 1001.10(e))
- Exhibit 11: Preliminary Design Drawings
 - Figure showing site layout with adequate worker parking and loading areas (§ 1001.11(b))
 - Statement of codes and standards applicable to installation, operation and maintenance of the modified facility (§ 1001.11(i))
- Exhibit 12: Construction
 - Quality assurance and control measures that petitioner will use for management of facility modification contractor (§ 1001.12(a))

- Exhibit 14: Cost of Facilities
 - Cost information to inform cost/benefit showing (§ 1001.14(a) and (b))
- Exhibit 15: Public Health and Safety
 - The anticipated wastes to be produced at the facility during construction (§ 1001.15(a))
 - Anticipated volumes of such wastes to be released to the environment during construction (§ 1001.15(b))
 - Treatment processes to eliminate or minimize wastes to be released to the environment during construction (§ 1001.15(c))
 - Manner of collection, handling, storage, transport and disposal for wastes retained and not released at the site, or to be disposed of during construction (§ 1001.15(d))
 - All significant impacts on the environment during construction (if any) (§ 1001.15(g))
 - Adverse impacts on the environment, public health, and safety that cannot be avoided, and measures for monitoring and measuring such impacts (§ 1001.15(h))
 - Irreversible and irretrievable commitment of resources that would be involved in the construction and operation of the facility (§ 1001.15(i))
 - Measures proposed by the applicant to minimize impacts (§ 1001.15(j))
 - Measures proposed by the applicant to mitigate or offset impacts (§ 1001.15(k))
 - Monitoring of such impacts proposed by the applicant (§ 1001.15(l))
- Exhibit 16: Pollution Control Facilities
 - Summary, and attached copy, of air permit modification application (§ 1001.16(a))
- Exhibit 17: Air Emissions
 - A summary of the facility's past compliance with its air permit (recent semi-annual/annual reports and emissions statements) (§ 1001.17(a))
 - Summary and attached copy of air permit modification application (§ 1001.17(c))

- Exhibit 18: Safety and Security
 - A summary of existing facility security measures and contractor access
- Exhibit 25: Effect on Transportation
 - A brief description of the number of additional contractor/truck trips expected to be added for this project beyond a typical shutdown (§ 1001.25(c))
- Exhibit 31: Local Laws and Ordinances
 - Report on results of consultation with Town of Bethlehem building department/code enforcement officer regarding applicability of any local standards or ordinances including any that may have been revised or implemented since the previous construction of the repowered facility; consultation will also potentially avoid delays or information requests from the municipality upon filing of petition by PSEG
- Exhibit 32: State Laws and Regulations
 - List of all procedural and substantive state approvals, consents, permits, certificates, or other conditions for the upgrade project, and a discussion or other showing demonstrating the degree of compliance with the substantive provisions (§ 1001.32(a), (c) and (d))
 - List of all state approvals, consents, permits, certificates or other conditions for the construction or operation of any proposed offsite interconnections and ancillary features that are not encompassed within the definition of Major Electric Generating Facility (§ 1001.32(e))
- Exhibit 34: Electric Interconnection
 - A description of the proposed changes to the electric interconnection, if any (§ 1001.34(a))

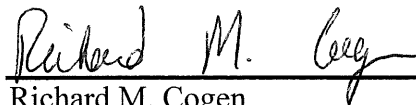
In consultations on this Petition, DPS Staff requested that Petitioner identify any potential Compliance Filings per Part 1002 that Petitioner predicts would be appropriate based on the proposed modifications. After review of both Part 1002 of the New Article 10 regulations and the conditions in the Facility's Certificate, Petitioner has not identified any compliance filings that it believes would be necessary or appropriate for this action, given the nature of the Upgrades. Petitioner is willing to discuss this issue further with DPS Staff at its convenience.

IV. CONCLUSION

For the reasons set forth herein, PSEGNYS respectfully requests a modification to the Certificate authorizing the installation of the Upgrades as described above and in the Exhibits to this Petition.

DATED: Albany, New York
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Nixon Peabody LLP
Attorneys for PSEG Power New York LLC



Richard M. Cogen
Peter C. Trimarchi
677 Broadway, 10th Floor
Albany, New York 12207
Tel: (518) 427-2650
Email: rcogen@nixonpeabody.com