

July 25, 2016

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

**Subject:** Case 15-F-0377- Application of Bull Run Energy LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 449 MW Wind Energy Project

Dear Secretary Burgess:

Bull Run Energy (BRE) hereby files its Preliminary Scoping Statement (PSS) for the subject Project. Please find enclosed ten paper copies and one digital copy of the PSS. The funds representing the pre-application intervenor funding, as required by PSL §163(4), are being provided under separate cover directly from Invenergy LLC.

The PSS follows the statutory requirements of Article 10 (PSL §163(1)) and the Siting Board's rules (16 NYCRR §1000.5(1)). The PSS includes a description of the proposed Project and the studies or program of studies designed to evaluate potentially significant adverse environmental and health impacts, the results of which BRE intends to include in its Application for an Article 10 certificate.

Also enclosed is proof of service on each of the parties identified in Article 10 and the Siting Board's rules. Please note, several of the parties agreed to fewer paper copies or preferred digital copies of the PSS, as described in more detail in the affidavits attached. Pursuant to Article 10 (PSL §163(2)) and Section 1000.5 of the Siting Board's rules (16 NYCRR §1000.5(1)) copies of the PSS have been served on the parties listed on the service list (Attachment 1).

Pursuant to Section 1000.5(d), BRE published notice of the PSS with a summary in the following newspapers (Attachment 2):

- Plattsburgh Press-Republican on July 20, 2016
- The Adirondack Pennysaver on July 21, 2016
- Malone Telegram on July 19, 2016

Pursuant to Section 1000.5(e), BRE provided three days' advance notice of the PSS filing to Assemblywoman Janet Duprey and Senator Betty Little (see Attachment 3). BRE is notifying local municipalities and other stakeholders of the PSS availability and comment period by U.S. Mail.

Section 1000.5(e) of the Siting Board's rules requires the applicant provide three days' advance notice of the PSS filing to persons who have filed a statement with the Secretary to the Siting Board that they

# Invenergy

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desire to receive all such notices concerning the project. Bull Run Energy has not received any requests from parties seeking notice of filings. In addition, BRE has not identified any such requests on the DPS website for the Project. Accordingly, no such letter was sent.

Bull Run Energy looks forward to working with DPS Staff and interested parties to this proceeding. If you have any questions, please call me at (301) 610-6413.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Miller". The signature is fluid and cursive, with the first letter "E" being particularly large and stylized.

Eric Miller  
Director, Business Development  
Invenergy LLC

## Attachment 1

AFFIDAVIT OF SERVICE

State of New York

Board on Electric Generation Siting and the Environment

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Application of Bull Run Energy LLC for a Certificate of Environmental Compatibility and Public Need to  
Cosntruct An Approximately 449 MW Wind Electric Generating Facility In Clinton County, NY.

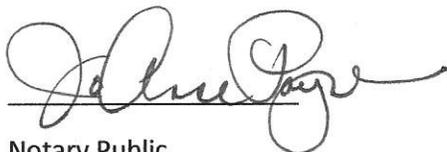
Case No. 15-F-0377

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STATE OF NEW YORK            )  
  ) SS:  
COUNTY OF TOMPKINS        )

Marguerite Wells, being duly sworn, deposes and says that on the dates indicated on the attached Service List, she served a copy or copies of Bull Run Energy LLC's Preliminary Scoping Statement, with exhibits and attachments thereto, by mailing true paper or CD copies thereof by USPS First Class or Priority Mail to the recipients identified in the attached service list.

Sworn to me 7/25/16



Notary Public

JOA. PAYNE  
Notary Public, State of New York  
No. 01PA5082292  
Qualified in Tompkins County  
Commission Expires July 21, 2017



Marguerite Wells

**Service List**  
**Bull Run Energy Preliminary Scoping Statement**

Altona Town Board Larry Ross, Supervisor 3124 Miner Farm Rd Altona, NY 12910	1 Paper Copy	7/22/16
Clinton Town Board Daniel LaClair, Supervisor 23 Smith St. Churubusco, NY 12923	1 Paper Copy	7/22/16
Ellenburg Town Board Jason Dezan, Supervisor 2 Dupuis Rd Ellenburg Center, NY 12934	1 Paper Copy	7/22/16
Mooers Town Board Jeff Menard, Supervisor 2508 Route 11 Mooers, NY 12958	1 Paper Copy	7/22/16
Clinton County Legislature Michael Zurlo, County Administrator 137 Margaret St. Suite 208 Plattsburgh, NY 12901	1 CD	7/19/16
Ellenburg Center Reading Center Main St Ellenburg Center, NY 12934	1 Paper Copy	7/22/16
Sarah H. Munsil Free Library 5139 Route 11 Ellenburg Depot, NY 12935	1 Paper Copy	7/22/16
Altona Reading Center Altona Town Hall 3124 Miner Farm Rd. Altona, NY 12910	1 Paper Copy	7/22/16
Mooers Free Library 2430 Route 11 Mooers, NY 12958	1 Paper Copy	7/22/16
NYS OPRHP John Bonafide, Director, Technical Preservation Po Box 189 Waterford, NY 12188-0189	1 CD	7/22/16

**Service List**  
**Bull Run Energy Preliminary Scoping Statement**

NYS OPRHP Rose Harvey, Commissioner Albany, NY 12238	1 Paper Copy	7/22/16
NYS Senator Betty Little 137 Margaret St., Suite 100 Plattsburgh, NY 12901	1 Paper Copy	7/22/16
NYS Department of Environmental Conservation Basil Seos. Acting Commissioner Unit. Division of Environmental Permits 625 Broadway, 4th Floor Albany, NY 12233	1 Paper Copy, 1 CD	7/22/16
NYS DEC Regional Office P.O. Box 296 1115 State Route 86 Ray Brook, NY 12977-0296	1 Paper Copy, 1 CD	7/22/16
NYS DEC Regional Office 232 Golf Course Road Warrensburg, NY 12885	1 Paper Copy, 1 CD	7/22/16
NYS Department of Health Howard Zucker. Commissioner Cornino Tower. Empire State Plaza, Room 1619 Albany, NY 12237	1 Paper Copy, 1 CD	7/22/16
NYSERDA John Rhodes 17 Columbia Circle, Albany, NY 12203-6399	2 CDs	7/19/16
Empire State Development Corporation Howard Zemskv. CEO 633 Third Ave 36 <sup>th</sup> Floor New York, New York 10017	1 Paper Copy, 1 CD	7/22/16
NYS Department of Agriculture and Markets Richard Ball, Commissioner 10B Airline Dr. Albany, NY 12235	1 Paper Copy	7/22/16
NYS Department of State Hon. Rossana Rosado, Secretary One Commerce Plaza, 99 Washington Avenue	1 CD	7/19/16

**Service List**  
**Bull Run Energy Preliminary Scoping Statement**

Albany, NY 12231-0001		
Office of the Attorney General The Capitol Albany, NY 12224-0341	1 Paper Copy	7/22/16
NYS Department of Transportation Matthew Driscoll, Commissioner 50 Wolf Road Albany, NY 12232	1 CD	7/19/16
NYS Department of Transportation Steve Kokkoris. Regional Director 317 Washington St. Watertown, NY 13601	1 CD	7/19/16
NYS Assemblywoman Janet Duprey 202 US Oval Plattsburgh, NY 12903	1 CD	7/19/16
Ellenburg Invenergy Office PO Box 56 Ellenburg, NY 12933	1 Paper Copy	7/22/16
USACE, NY District John Connell Upstate Regulatory Field Office 1 Buffington St., Bldg 10, 3 <sup>rd</sup> Fl North Watervliet, NY 12189-4000	1 CD	7/19/16
USFWS Tim Sullivan 3817 Luker Rd Cortland, NY 13045	1 CD	7/19/16
Public Information Coordinator, DPS James Denn NYS Department of Public Service 3 Empire State Plaza Albany, NY 12223	1 CD	7/22/16

## Attachment 2



177 Margaret Street • Plattsburgh, New York 12901  
(518) 563-0100 • Fax (518) 562-0303  
mail@adkpennysaver.com

## AFFIDAVIT OF PUBLICATION

County of Clinton  
State of New York,

SS:

Mark Rigby being duly sworn, deposes and says that he is the Publisher of The Adirondack Pennysaver, a weekly newspaper published in Plattsburgh, in the County of Clinton, in the State of New York, and that a notice, a printed copy of which is hereto annexed, has been published in said newspaper once in each week for

1 week(s), via:

Legal notice Invenerav Notice of Submission of Preliminary Scopina Statement

Insert Date(s) 07/21/16

Signed: \_\_\_\_\_

Sworn to me this

7/22

day of

2016

\_\_\_\_\_  
Notary Public in and for Clinton County

DESIREE A MAZE  
Notary Public, State of New York  
Qualified in Clinton County  
Reg. No. 01MA6302804  
My Commission Expires May 5, 2018

## NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Bull Run Energy LLC (Applicant), an affiliate of Invenergy LLC, is proposing to construct a major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about July 22nd, 2016 the Applicant will file a Public Scoping Statement (PSS), pursuant to 16 NYCRR 1000.5, which is designed to gather input from the public and interested agencies on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. The filing of the PSS will start a 21-day public comment period.

The Project is a proposed 449 megawatt (MW) wind-powered electric generation project. The Project components are proposed to include the installation and operation of up to 150 wind turbines in the Towns of Altona, Clinton, Ellenburg and Mooers, in Clinton County NY, together with the associated collection lines (underground and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation, an overhead 230 kV electrical line and an interconnection substation, which will interconnect with New York Power Authority's 230kV transmission line in the Town of Ellenburg. It is anticipated that the newly constructed 230 kV line will be approximately 4 miles in length. The Project is proposed to be located on leased private land that is generally rural in nature.

The Project will result in the generation of electricity from wind, a renewable energy source, avoiding harmful emissions and the use of water resources that are typically associated with energy generation. In addition, the Project will assist the State in meeting the goals of the recently announced State Energy Plan, which includes a goal of 50% of energy generation from renewable sources by 2030, and other State policy initiatives consistent with the development of the Project. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and full-time jobs, and increased revenues to County and local municipality tax bases, payments to the local hospitality industry, purchase of local supplies and goods, and lease revenues to participating landowners.

The PSS precedes the formal public scoping process and therefore, among other things, will describe and identify: the environmental setting in the Project area, potential environmental and health impacts from construction and operation of the Project, proposed benefits of the Project, proposed studies (including pre-construction studies and post-construction monitoring for potential impacts to avian and bat species), proposed measures to minimize environmental impacts, reasonable alternatives, other required permits/authorizations, and other relevant information. The PSS will also provide a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Project, including potential impacts to: land use in the Project area; public health and safety; terrestrial ecology and wetlands; water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including potential for shadow flicker; sound; and electromagnetic fields.

Within 21 days after filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner appointed by the DPS and will commence after required notices have been sent and intervenor funding has been disbursed. Notice will be provided when the Hearing Examiner schedules the scoping meeting.

No fewer than 90 days after the filing of the PSS, the Applicant will submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Project, an evaluation of environmental and health impacts, a summary of public involvement activities, an evaluation of alternatives, a statement of why certain local substantive standards should not be applied, an electric interconnection study including the System Reliability Impact Study, security and emergency plans, a statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board.

Once an Application is filed and determined by the Siting Board to be complete, the Siting Board will schedule a public hearing on the Application. The Siting Board will also issue a notice of availability of intervenor funds that are available to be used by parties to participate in formal review of the Application. A pre-hearing conference will be scheduled by the Hearing Examiner to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. Additional hearings regarding the application and project impact assessments will be scheduled by the Hearing Examiner as needed. After hearings, the stakeholders may brief their positions and the Hearing Examiner will issue a recommended decision upon which the Siting Board will base its decision. Article 10 requires that all proceedings on the Application, including a final decision by the Siting Board must be completed within 12 months of when the Application is determined to be complete.

Upon filing of PSS, Bull Run Wind will provide funding in the amount of \$157,150 (calculated per PSL 163(4)(a)) to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the pre-application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Additional intervenor funds will be available for the Application/Hearing Phases. Following the filing of a PSS, the Hearing Examiner or the Secretary will issue a notice of availability of pre-application intervenor funds providing a schedule and related information describing how interested members of the public may apply for pre-application funds. Requests for pre-application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of pre-application intervenor funds. A pre-application meeting to consider funding requests will be convened within no less than 45 but no more than 60 days after the filing of the PSS.

Contact Information:

Contact information for Bull Run Energy:

Eric Miller  
Director, Business Development  
120 N. Lee Street  
Falls Church, VA 22046  
301-610-6413  
emiller@invenergyllc.com

Contact information for Dept. of Public Service Article 10 Coordinator:

James Denn  
NYS Department of Public Service  
3 Empire State Plaza Albany, NY 12223  
518-474-7080

Information is also available at the public document repositories and on the web. The DPS website is (<http://www.dps.ny.gov/>). To access documents, go to "Commission Documents" on the left-side of the webpage under "Most Popular Pages" and search using the Case Number 15-F-0357 or the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?Mattercaseno=15-F-0377>) or by going to the Project-specific website maintained by the Applicant: [www.BullRunWind.com](http://www.BullRunWind.com)

File a Request for Notices

Any interested member of the public may file a request with the DPS Secretary to receive copies of all notices concerning the Project, including but not limited to notices regarding any proposed pre-application stipulation. Written requests should be sent to the DPS Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or sent by mail to the following address:

Honorable Kathleen Burgess, Secretary  
NYS Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223-1350



**Clinton County Historical Association  
announces: Bluff Point Lighthouse –  
2016 Summer Schedule  
Sundays in July and August  
Valcour Island 1 to 3 p.m.**

[Plattsburgh]- The Clinton County Historical Association (CCHA) is pleased to announce the re-opening of the newly renovated Bluff Point Lighthouse on Valcour Island. Free tours of the Bluff Point Lighthouse are offered every Sunday in July and August from 1 to 3 p.m. Visitors to the Lighthouse enjoy displays depicting the history of Lake Champlain Lighthouses, Lake Champlain's Military History, the 20th Century Camps on Valcour Island, and the Life of a Lighthouse Keeper. Visitors can climb to the Lantern Room to see the functioning light and the outstanding view. Transportation to the Lighthouse is not provided by the CCHA.

Opening days are subject to change based on weather conditions. Sponsored in part by the New York State Department of Environmental Conservation and Clinton County. For more information, please call the CCHA at (518) 561-0340 or find the Bluff Point Lighthouse on Facebook at [www.facebook.com/bluffpointlighthouse](http://www.facebook.com/bluffpointlighthouse). The CCHA Museum is open Wednesday through Saturday from 10 a.m. to 3 p.m.

*Transportation to the Island is the responsibility of the visitor.*

**ANNUAL NOTICE**

Clinton-Essex-Warren-Washington BOCES, a/k/a Champlain Valley Educational Services, does not discriminate on the basis of race, color, national origin, sex, disability, age or any other legally protected status in its programs, activities, employment and admissions; and provides equal access to the Boy Scouts and other designated youth groups. Inquiries regarding this non-discrimination policy may be directed to any of the compliance officers listed below:

**James McCartney**

**Cathy Snow**

Civil Rights Compliance Officers

1585 Military Turnpike

P.O. Box 455

Plattsburgh, NY 12901

Phone: 518-536-7340

**Reginald McDonald**

Civil Rights Compliance Officer

1585 Military Turnpike

P.O. Box 455

Plattsburgh, NY 12901

Phone: 518-561-0100 Ext. 299

A copy of the secondary career and technical education courses/programs offered and admission criteria is available to district residents and may be obtained on our website ([cves.org](http://cves.org)) or by calling 518-561-0100 Ext. 241 to request a mailing.

**LEGAL NOTICE**

NOTICE OF FORMATION of a Limited Liability Company ("LLC") Lawson's Transport, LLC. Articles of Organization filed with the Secretary of State of New York ("SSNY") on May 20, 2016 for business conducted from an office located in Essex County, NY. The "SSNY" is designated as the agent of the "LLC" upon whom process against it may be served. "SSNY" shall mail a copy of any process to the "LLC" at 20 Christiansen Drive, Plattsburgh, NY 12901.

*Say You Saw It In The Pennysaver (C/E-T/L)*

STATE OF NEW YORK,

Sat:

Franklin County

Betsy McSweeney

being duly sworn, says that she is Business Manager of The Malone Telegram, a daily newspaper of general circulation published in Malone, in said county, and that notice, of which a true copy cut from said newspaper, is hereunto annexed, was published in said newspaper once a week

for One Day weeks consecutively, the first publication being on the 20 day of July, 2016 and the last publication

being on 19 the day of July, 2016

Cheryl L. Bomba

Subscribed and sworn to before me, this 19 day of July, 2016

CHERYL L. BOMBA  
Notary Public, State of New York  
NY #01B05064993  
My Commission Expires Aug. 26, 2018

NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Bull Run Energy LLC (Applicant), an affiliate of Invernergy LLC, is proposing to construct a major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about July 22nd, 2016 the Applicant will file a Public Scoping Statement (PSS), pursuant to 16 NYCRR 1600.5, which is designed to gather input from the public and interested agencies on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. The filing of the PSS will start a 21-day public comment period.

The Project is a proposed 443 megawatt (MW) wind-powered electric generation project. The Project components are proposed to include the installation and operation of up to 150 wind turbines in the Towns of Akwesasne, Clinton, Ellenburg and Moores, in Clinton County NY, together with the associated collection lines (underground and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation, an overhead 230 kV electrical line and an interconnection substation, which will interconnect with New York Power Authority's 230kV transmission line in the Town of Ellenburg. It is anticipated that the newly constructed 230 kV line will be approximately 4 miles in length. The Project is proposed to be located on leased private land that is generally rural in nature.

The Project will result in the generation of electricity from wind, a renewable energy source, avoiding harmful emissions and the use of water resources that are typically associated with energy generation. In addition, the Project will assist the State in meeting the goals of the recently announced State Energy Plan, which includes a goal of 50% of energy generation from renewable sources by 2030, and other State policy initiatives consistent with the development of the Project. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and full-time jobs, and increased revenues to County and local municipality tax bases, payments to the local hospitality industry, purchase of local supplies and goods, and lease revenues to participating landowners.

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Within 21 days after filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner appointed by the DPS and will commence after required notices have been sent and intervector funding has been disbursed. Notice will be provided when the Hearing Examiner schedules the scoping meeting.

No fewer than 90 days after the filing of the PSS, the Applicant will submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Project, an evaluation of environmental and health impacts, a summary of public involvement activities, an evaluation of alternatives, a statement of why certain local substantive standards should not be applied, an electric interconnection study including the System Reliability Impact Study, security and emergency plans, a statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board.

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Contact Information:  
Contact information for Bull Run Energy:  
Eric Miller  
Director, Business Development  
120 N. Lee Street  
Falls Church, VA 22046  
801-610-6413  
emiller@invernergy.com  
Contact information for Dept. of Public Service Article 10 Coordinator:  
James Diem  
NYS Department of Public Service  
3 Empire State Plaza  
Albany, NY 12223  
914-474-7080

Information is also available at the public document repositories and on the web. The DPS website is also available at the public document repositories go to "Commission Documents" website at (<http://www.dps.ny.gov>). To access documents go to "Commission Documents" on the left side of the webpage under "Most Popular Pages" and search using the Case Number 15-F-0357 or the direct link: <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=15-F-0357> or by going to the Project-specific website maintained by the Applicant: [www.BullRunWind.com](http://www.BullRunWind.com)

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Honorable Kathleen Burgess, Secretary  
NYS Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223-1350

# PRESS REPUBLICAN

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## Legal Notices

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**Source** Press-Republican

**Category** Legal Notices

**Published Date** July 20, 2016

### Notice Details

NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT Bull Run Energy LLC (Applicant), an affiliate of Invenergy LLC, is proposing to construct a major electric generating facility under Article 10 of the Public Service Law (Project). This notice

announces that on or about July 22nd, 2016 the Applicant will file a Public Scoping Statement (PSS), pursuant to 16 NYCRR 1000.5, which is designed to gather input from the public and interested agencies on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. The filing of the PSS will start a 21-day public comment period. The Project is a proposed 449 megawatt (MW) wind-powered electric generation project. The Project components are proposed to include the installation and operation of up to 150 wind turbines in the Towns of Altona, Clinton, Ellenburg and Mooers, in Clinton County NY, together with the associated collection lines (underground and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation, an overhead 230 kV electrical line and an interconnection substation, which will interconnect with New York Power Authority's 230kV transmission line in the Town of Ellenburg. It is anticipated that the newly constructed 230 kV line will be approximately 4 miles in length. The Project is proposed to be located on leased private land that is generally rural in nature. The Project will result in the generation of electricity from wind, a renewable energy source, avoiding harmful emissions and the use of water resources that are typically associated with energy generation. In addition, the Project will assist the State in meeting the goals of the recently announced State Energy Plan, which includes a goal of 50% of energy generation from renewable sources by 2030, and other State policy initiatives consistent with the development of the Project. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and full-time jobs, and increased revenues to County and local municipality tax bases, payments to the local hospitality industry, purchase of local supplies and goods, and lease revenues to participating landowners. The PSS precedes the formal public scoping process and therefore, among other things, will describe and identify: the environmental setting in the Project area, potential environmental and health impacts from construction and operation of the Project, proposed benefits of the Project, proposed studies (including pre-construction studies and post-construction monitoring for potential impacts to avian and bat species), proposed measures to minimize environmental impacts, reasonable alternatives, other required permits/authorizations, and other relevant information. The PSS will also provide a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Project, including potential impacts to: land use in the Project area; public health and safety; terrestrial ecology and wetlands; water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including potential for shadow flicker; sound; and electromagnetic fields. Within 21 days after filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner appointed by the DPS and will commence after required notices have been sent and intervenor funding has been disbursed. Notice will be provided when the Hearing Examiner schedules the scoping meeting. No fewer than 90 days after the filing of the PSS, the Applicant will submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Project, an evaluation of environmental and health impacts, a summary of public involvement activities, an evaluation of alternatives, a statement of why certain local substantive standards should not be applied, an electric interconnection study including the System Reliability Impact Study, security and emergency plans, a statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board. Once an Application is filed and determined by the Siting Board to be complete, the Siting Board will schedule a

public hearing on the Application. The Siting Board will also issue a notice of availability of intervenor funds that are available to be used by parties to participate in formal review of the Application. A pre-hearing conference will be scheduled by the Hearing Examiner to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. Additional hearings regarding the application and project impact assessments will be scheduled by the Hearing Examiner as needed. After hearings, the stakeholders may brief their positions and the Hearing Examiner will issue a recommended decision upon which the Siting Board will base its decision. Article 10 requires that all proceedings on the Application, including a final decision by the Siting Board must be completed within 12 months of when the Application is determined to be complete. Upon filing of PSS, Bull Run Wind will provide funding in the amount of \$157,150 (calculated per PSL 163(4)(a)) to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the pre-application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Additional intervenor funds will be available for the Application/Hearing Phases. Following the filing of a PSS, the Hearing Examiner or the Secretary will issue a notice of availability of pre-application intervenor funds providing a schedule and related information describing how interested members of the public may apply for pre-application funds. Requests for pre-application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of pre-application intervenor funds. A pre-application meeting to consider funding requests will be convened within no less than 45 but no more than 60 days after the filing of the PSS. Contact Information: Information is also available at the public document repositories and on the web. The DPS website is (<http://www.dps.ny.gov/>). To access documents, go to ^Commission Documents^ on the left-side of the webpage under ^Most Popular Pages^ and search using the Case Number 15-F-0357 or the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?Mattercaseno=15-F-0377>) or by going to the Project-specific website maintained by the Applicant: [www.BullRunWind.com](http://www.BullRunWind.com) File a Request for Notices Any interested member of the public may file a request with the DPS Secretary to receive copies of all notices concerning the Project, including but not limited to notices regarding any proposed pre-application stipulation. Written requests should be sent to the DPS Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or sent by mail to the following address: Honorable Kathleen Burgess, Secretary NYS Department of Public Service Three Empire State Plaza Albany, New York 12223-1350

## Attachment 3

July 15, 2016

NYS Assemblywoman Janet Duprey  
202 US Oval  
Plattsburgh, NY 12903

Re: Bull Run Wind Energy Center  
Preliminary Scoping Statement

Dear Ms. Duprey:

The Bull Run Wind Energy Center is a proposed 449 MW wind energy project, located in Clinton County, New York in the towns of Ellenburg, Altona, Clinton, and Mooers, owned and developed by Bull Run Energy LLC (BRE), an affiliate of Invenergy LLC. BRE has submitted an interconnection request, and NYISO is performing a system impact reliability study for the Project.

Under Article 10 of the Public Service Law, the New York State Board on Electric Generation Siting and the Environment (the Siting Board) requires an applicant proposing to construct a major electric generating facility to submit a Preliminary Scoping Statement (PSS) for review by the Department of Public Service (DPS) at least 90 days prior to filing an Application. Certain stakeholders are to receive advance notice and copies of the filing of the PSS, and as a state legislator serving the Project Area, we are providing you with this notice and copy in digital form as per your stated preference. This document will be filed with the Secretary of DPS on or about July 25th, 2016. Accordingly, with this letter please find the Project's PSS on CD for your review.

We look forward to working with you in your review of the Project. If you have any questions, please call me at (301) 610-6413.

Sincerely,



Eric Miller  
Director, Business Development  
Invenergy LLC

## NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Bull Run Energy LLC (Applicant), an affiliate of Invenergy LLC, is proposing to construct a major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about July 22nd, 2016 the Applicant will file a Public Scoping Statement (PSS), pursuant to 16 NYCRR 1000.5, which is designed to gather input from the public and interested agencies on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. The filing of the PSS will start a 21-day public comment period.

The Project is a proposed 449 megawatt (MW) wind-powered electric generation project. The Project components are proposed to include the installation and operation of up to 150 wind turbines in the Towns of Altona, Clinton, Ellenburg and Mooers, in Clinton County NY, together with the associated collection lines (underground and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation, an overhead 230 kV electrical line and an interconnection substation, which will interconnect with New York Power Authority's 230kV transmission line in the Town of Ellenburg. It is anticipated that the newly constructed 230 kV line will be approximately 4 miles in length. The Project is proposed to be located on leased private land that is generally rural in nature.

The Project will result in the generation of electricity from wind, a renewable energy source, avoiding harmful emissions and the use of water resources that are typically associated with energy generation. In addition, the Project will assist the State in meeting the goals of the recently announced State Energy Plan, which includes a goal of 50% of energy generation from renewable sources by 2030, and other State policy initiatives consistent with the development of the Project. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and full-time jobs, and increased revenues to County and local municipality tax bases, payments to the local hospitality industry, purchase of local supplies and goods, and lease revenues to participating landowners.

The PSS precedes the formal public scoping process and therefore, among other things, will describe and identify: the environmental setting in the Project area, potential environmental and health impacts from construction and operation of the Project, proposed benefits of the Project, proposed studies (including pre-construction studies and post-construction monitoring for potential impacts to avian and bat species), proposed measures to minimize environmental impacts, reasonable alternatives, other required permits/authorizations, and other relevant information. The PSS will also provide a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Project, including potential impacts to: land use in the Project area; public health and safety; terrestrial ecology and wetlands; water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including potential for shadow flicker; sound; and electromagnetic fields.

Within 21 days after filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner appointed by the DPS and will commence after required notices have been sent and intervenor funding has been disbursed. Notice will be provided when the Hearing Examiner schedules the scoping meeting.

No fewer than 90 days after the filing of the PSS, the Applicant will submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Project, an evaluation of environmental and health impacts, a summary of public involvement activities, an evaluation of alternatives, a statement of why certain local substantive standards should not be applied, an electric interconnection study including the System Reliability Impact Study, security and emergency plans, a statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board.

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Once an Application is filed and determined by the Siting Board to be complete, the Siting Board will schedule a public hearing on the Application. The Siting Board will also issue a notice of availability of intervenor funds that are available to be used by parties to participate in formal review of the Application. A pre-hearing conference will be scheduled by the Hearing Examiner to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. Additional hearings regarding the application and project impact assessments will be scheduled by the Hearing Examiner as needed. After hearings, the stakeholders may brief their positions and the Hearing Examiner will issue a recommended decision upon which the Siting Board will base its decision. Article 10 requires that all proceedings on the Application, including a final decision by the Siting Board must be completed within 12 months of when the Application is determined to be complete.

Upon filing of PSS, Bull Run Wind will provide funding in the amount of \$157,150 (calculated per PSL 163(4)(a)) to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the pre-application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Additional intervenor funds will be available for the Application/Hearing Phases. Following the filing of a PSS, the Hearing Examiner or the Secretary will issue a notice of availability of pre-application intervenor funds providing a schedule and related information describing how interested members of the public may apply for pre-application funds. Requests for pre-application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of pre-application intervenor funds. A pre-application meeting to consider funding requests will be convened within no less than 45 but no more than 60 days after the filing of the PSS.

## Contact Information:

Contact information for Bull Run Energy:

Eric Miller  
Director, Business Development  
120 N. Lee Street  
Falls Church, VA 22046  
301-610-6413  
emiller@invenergyllc.com

Contact information for Dept. of Public Service Article  
10 Coordinator:

James Denn  
NYS Department of Public Service  
3 Empire State Plaza Albany, NY 12223  
518-474-7080

Information is also available at the public document repositories and on the web. The DPS website is (<http://www.dps.ny.gov/>). To access documents, go to “Commission Documents” on the left-side of the webpage under “Most Popular Pages” and search using the Case Number 15-F-0357 or the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?Mattercaseno=15-F-0377>) or by going to the Project-specific website maintained by the Applicant: [www.BullRunWind.com](http://www.BullRunWind.com)

## File a Request for Notices

Any interested member of the public may file a request with the DPS Secretary to receive copies of all notices concerning the Project, including but not limited to notices regarding any proposed pre-application stipulation. Written requests should be sent to the DPS Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or sent by mail to the following address:

Honorable Kathleen Burgess, Secretary  
NYS Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223-1350

July 21, 2016

NYS Senator Betty Little  
137 Margaret St., Suite 100  
Plattsburgh, NY 12903

Re: Bull Run Wind Energy Center  
Preliminary Scoping Statement

Dear Ms. Little:

The Bull Run Wind Energy Center is a proposed 449 MW wind energy project, located in Clinton County, New York in the towns of Ellenburg, Altona, Clinton, and Mooers, owned and developed by Bull Run Energy LLC (BRE), an affiliate of Invenergy LLC. BRE has submitted an interconnection request, and NYISO is performing a system impact reliability study for the Project.

Under Article 10 of the Public Service Law, the New York State Board on Electric Generation Siting and the Environment (the Siting Board) requires an applicant proposing to construct a major electric generating facility to submit a Preliminary Scoping Statement (PSS) for review by the Department of Public Service (DPS) at least 90 days prior to filing an Application. Certain stakeholders are to receive advance notice of the filing of the PSS, and as a state legislator serving the Project Area, we are providing you with this notice. The PSS document will be filed with the Secretary of DPS on or about July 25th, 2016, and you will also receive a copy that day.

We look forward to working with you in your review of the Project. If you have any questions, please call me at (301) 610-6413.

Sincerely,



Eric Miller  
Director, Business Development  
Invenergy LLC



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The Project will result in the generation of electricity from wind, a renewable energy source, avoiding harmful emissions and the use of water resources that are typically associated with energy generation. In addition, the Project will assist the State in meeting the goals of the recently announced State Energy Plan, which includes a goal of 50% of energy generation from renewable sources by 2030, and other State policy initiatives consistent with the development of the Project. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and full-time jobs, and increased revenues to County and local municipality tax bases, payments to the local hospitality industry, purchase of local supplies and goods, and lease revenues to participating landowners.

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Director, Business Development  
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Falls Church, VA 22046  
301-610-6413  
emiller@invenergyllc.com

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10 Coordinator:

James Denn  
NYS Department of Public Service  
3 Empire State Plaza Albany, NY 12223  
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NYS Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223-1350