

Young / Sommer LLC

JEFFREY S. BAKER
DAVID C. BRENNAN
JOSEPH F. CASTIGLIONE
JAMES A. MUSCATO II
J. MICHAEL NAUGHTON
ROBERT A. PANASCI
DEAN S. SOMMER
KEVIN M. YOUNG

LAURA K. BOMYEA
E. HYDE CLARKE
JESSICA ANSERT KLAMI
ALLYSON M. PHILLIPS
KRISTIN LAVIOLETTE PRATT
JESSICA R. VIGARS

COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205
Phone: 518-438-9907 • Fax: 518-438-9914

www.youngsommer.com

SENIOR COUNSEL
MICHAEL J. MOORE
KENNETH S. RITZENBERG
DOUGLAS H. WARD

OF COUNSEL
SUE H.R. ADLER
ELIZABETH M. MORSS
SCOTT P. OLSON
STEPHEN C. PRUDENTE
KRISTIN CARTER ROWE

PARALEGALS
ALLYSSA T. MOODY
AMY S. YOUNG

Writer's Telephone Extension: 243
jmuscato@youngsommer.com

August 10, 2016

VIA REGULAR MAIL and ELECTRONIC FILING

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

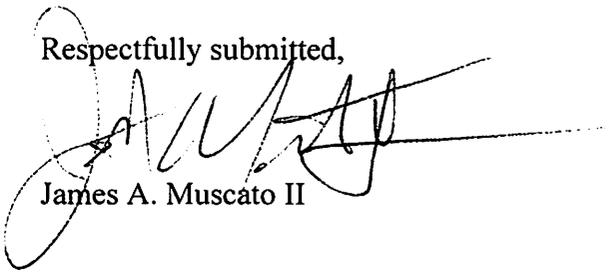
Re: Case No. 15-F-0122: Application of Baron Winds LLC, for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Major Electric Generating Facility in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, Steuben County, New York

Dear Secretary Burgess:

We represent the applicant in the above referenced proceeding. As a follow up to the filing of the Preliminary Scoping Statement please find enclosed affidavits of publication in compliance with 1000.5(f)(c) from the Evening Tribune and the Corning Leader. In addition, enclosed are copies of the notice as it ran in the papers.

Please do not hesitate to call me with any questions.

Respectfully submitted,


James A. Muscato II

JAM/kjr

Enclosures

AFFP

Baron Winds Project

Affidavit of Publication

STATE OF NEW YORK }
COUNTY OF STEUBEN } SS

notary public

Baron Winds Wind Project

Steuben County, New York

Notice Of Submission Of Preliminary Scoping Statement

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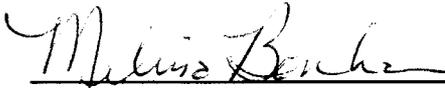
Melissa Bonham, Account Clerk, being duly sworn, says:

That she is Melissa Bonham, Account Clerk of the The Leader, a daily newspaper of general circulation, printed and published in Corning, Steuben County, New York; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

August 04, 2016, August 05, 2016, August 06, 2016,
August 07, 2016

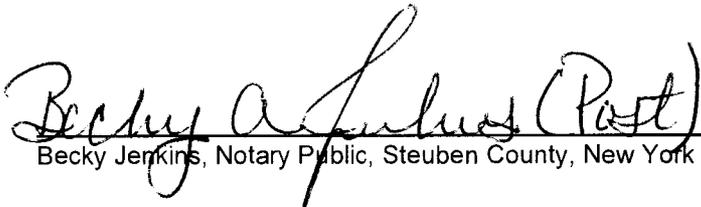
That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Melissa Bonham, Account Clerk

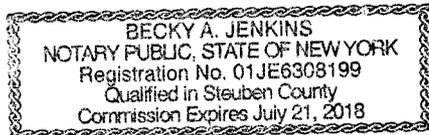
Subscribed to and sworn to me this 7th day of August 2016.



Becky Jenkins, Notary Public, Steuben County, New York

My commission expires: July 21, 2018

02120635 00104931



Everpower
1251 Waterfront Pl
3rd floor
Pittsburgh, PA 15222

Baron Winds Wind Project

Steuben County, New York

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412-578-9757 (f)
ksheen@everpower.com

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To obtain information regarding the Project, please contact:

Contact information for Applicant:

Kevin Sheen
1251 Waterfront Place, 3rd Floor
Pittsburgh, PA 15222
646-839-8919 (o)
412-578-9757 (f)
ksheen@everpower.com

Contact information for DPS Article 10 Coordinator:

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

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or by going to the Project-specific website maintained by the Applicant: <http://everpower.com/baron-winds-wind-project-steuben-county-ny/>.

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

ADVERTISING AFFIDAVIT

I, Beth Ann Hufts, Advertising representative for The Evening Tribune, a public newspaper, published and printed daily in Hornell, NY by GateHouse Media, Inc., attest that the advertisements listed on the attached invoice were published in said newspaper The Evening Tribune (or sister publication) on the following dates:

<u>8/7/16</u>	<u>8/4/16</u>	<u>8/5/16</u>

Beth Ann Hufts

Subscribed and sworn to before me this 8th day of August, 2016

Melissa M. VanSkiver

Melissa M. VanSkiver
Notary Public, State of New York
Steuben County, No. 01VA6164665
Commission Expires, April 30, 2019

Advertising
INVOICE/STATEMENT
of Account

The Evening Tribune
32 Broadway Mall
Hornell, NY 14843

1/1

Invoice #: 1608-02120646

Phone: 607-324-1425

Fax: 607-324-2317 billing@eveningtribune.com

EVERPOWER WIND HOLDING INC
1251 WATERFRONT PL
3RD FLOOR
PITTSBURGH, PA 15222

Cust #: 02120638
Acct #: 02120646
Phone: (412)253-9409
Date: 08/28/2016
Due Date: 09/25/2016

Date	Trans ID #	Description	Runs	Size	Units	Total
08/04/2016	300150769	BARON WIND PROJECT The Evening Tribune	1	6.00 x 11.00	66.00	750.80
08/05/2016	300150946	BARON WIND PROJECT The Evening Tribune	1	6.00 x 11.00	66.00	712.80
08/07/2016	300151569	BARON WIND PROJECT The Spectator	1	6.00 x 11.00	66.00	693.00

Previous amount owed: \$ 0.00
New charges this period: \$ 2,156.60
Payments this period: \$ 0.00
Debit adjustments this period: \$ 0.00
Credit adjustments this period: \$ 0.00

Remarks

Please detach this portion and return it with your remittance.

EVERPOWER WIND HOLDING INC
1251 WATERFRONT PL
3RD FLOOR
PITTSBURGH, PA 15222

Remit to:

Hornell
The Evening Tribune
32 Broadway Mall
Hornell, NY 14843

Cust #: 02120638

Acct #: 02120646

Total Due: \$ 2,156.60

August 2016	July 2016	June 2016	May 2016	April 2016	March 2016
\$ 2,156.60	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

MUSEUM

From Page A1

"This is the first of many ambitious projects slated for the Museum, which will reveal essential aspects of the Museum's collection, as well as chart new directions in ceramic art and scholarship," Higby said.

The new museum was built with a gift from Dr. Marlin Miller, Jr., chairman emeritus and member of the Alfred University Board of Trustees since 1972, and his wife Ginger. It is the first permanent home for the museum, which has its roots in the first "study collection" created in 1903 by Charles Fergus Binns, founding director of what was then the New York State School of Clayworking at Alfred University.

Beginning Nov. 1, the hours of operation for the museum, located on Pine Street on the AU campus, will be: Mondays: closed; Tuesdays: 10 a.m. to 5 p.m.; Wednesdays: 10 a.m. to 5 p.m.; Thursdays: 10 a.m. to 7 p.m.; Fridays: 10 a.m. to 5 p.m.; Saturdays: 10 a.m. to 4 p.m.; and Sundays: 10 a.m. to 4 p.m.

Admission for adults (18-54 years old) is \$7; for those 55 and older, \$5; and local residents (those whose home zip code begin with 148), AAA members and military, \$3.

Alfred University and Alfred State College faculty, staff and students will be admitted free with ID, as will Alfred-Almond Central School students.

WYANT

From Page A1

Wyant has strong ties to the region and Hornell. He lived on Crosby Street in the Maple City as a child and attended the former Lincoln School for a few years. He replaced George Kiley when he was hired in May of 2011. His tenure will apparently end after six years on the job. The 51-year-old Wyant graduated from Canisteo Central School and served previously as a principal in Andover and superintendent at Whitesville Central School.

"My contract ends at the end of June 2017, and we're going in different directions," Wyant commented

Wednesday night.

The Evening Tribune then had the following exchange with Wyant:

Tribune: "Were there talks about a new contract?"
 Wyant: "I think that's all I'm going to say."
 Tribune: "Do you have a job as of that point?"
 Wyant: "That's all I'm going to say."
 Tribune: "You're not leaving here for somewhere else at this point?"
 Wyant: "I can't elaborate."
 Tribune: "When did this come about?"
 Wyant: "I've told you everything I can tell you."
 Tribune: "Were you told by the board that you were no longer, that they were no longer interested

in you serving past then?"
 Wyant: "The board's elected to go in a different direction."
 Tribune: "And they told you that today."
 Wyant: "Previously."
 Tribune: "And there's no doubt you'll be here for the next ten months?"
 Wyant: "My contract runs to the end of June."
 Tribune: "Was this on the agenda a week ago?"
 Wyant: "It was on the agenda for tonight."

The school board president said he expects Wyant to be at the helm for the next ten months.

"Superintendent Wyant is not leaving (immediately). His contract expires at the completion of next year's school year," said

John McNelis. "We'll be commencing a superintendent search (at that time).
 "We've kept the superintendent informed throughout the process. He's been part of the process, and oftentimes, it happens in other districts, sometimes you decide to go different ways, sometimes mutually. It's just that point where we want to get out and test the waters a little bit and see what's available and pursue that."
 McNelis expects a productive 2016-17 year.

"Doug is a consummate professional, and I have full confidence in him for the rest of the school year," McNelis said. "I have enjoyed working with him, and, like I said,

sometimes districts and superintendents decide to pursue, you know, different avenues."

When asked how many board members want to go in a different direction, McNelis pointed to the board vote.

"The board votes in public, and our vote today was unanimous: five of the attending members voted in favor," he said.

Board Vice President Kerry Davis referred all questions to McNelis.

Uzma Mehr was out of town and not at the meeting. Joshua DeLany attended most of Wednesday's meeting, but he left prior to the vote on the superintendent's search resolution.

CUOMO

From Page A1

NY. He noted that overall, the state's economy is up, and dismissed some of the criticism as short-sighted and politically motivated.

"I'm not in the grin-and-bear it mode on this," he told reporters after his two-hour-plus testimony in front of the committee. "We've spent way too much time and have achieved way too much success and results to go through the grandstanding and the politicization of some of this."

The criticism wasn't limited to lawmakers. Leaders from both the left-leaning Fiscal Policy Institute as well as the conservative Empire Center for Public Policy criticized the state's approach to economic development, and Start-Up specifically, as ineffective and wasteful.

"Start-Up NY is an economic development tactic presented as grand strategy, surrounded by excessive expectations created by promotional hype," said E.J. McMahon, president of the Empire Center.

The administration itself has seemingly lowered its expectations. While Cuomo referred to it as a "game changer" and a "major transformation" in 2013, Zemsky on Wednesday called Start-Up "a very small piece of the puzzle" of the state's overall efforts.

The modest performance of Start-Up has been a sore spot for Cuomo's administration, which released the most recent report on its results late on the Friday before the three-day Fourth of July weekend, and many of the questions clearly irritated Zemsky, who at times spoke over the lawmakers as they attempted to ask questions.

AIRLINE SAFETY

Emirates airliner crash lands in Dubai

By Adam Schreck
 The Associated Press

DUBAI, United Arab Emirates — All 300 people aboard an Emirates airliner survived a crash landing in Dubai on Wednesday, scrambling down emergency slides before flames consumed the plane in an accident that halted flights for hours at the world's third-busiest airport. One firefighter was killed battling the blaze.

Passengers evacuated at airport after smoke reported from plane



SOURCE: Maps4news/HERE AP

The incident was the most serious ever for Emirates, which has grown at a breakneck pace over the last three decades and turned its hometown of Dubai into a major long-haul international air hub. It was the

second major air disaster for a Dubai government-backed airline in less than five months.

Emirates Group CEO and Chairman Sheikh Ahmed bin Saeed Al Maktoum said 10 people were hospitalized.

Baron Winds Wind Project Steuben County, New York

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The proposed Facility is an up to 300 megawatt (MW) windpowered electric generating facility. The Facility components are proposed to include the installation and operation of up to 120 wind turbines in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, together with the associated collection lines (below grade 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 adjacent to an existing interconnection substation, which will be used to interconnect with New York State Electric and Gas Corporation's 230 kV transmission line in the Town of Cohocton. The Facility is proposed to be located on leased private land that is generally rural in nature. The actual footprint of the proposed facilities is not determined at this point in the process, but will be located within the leased land, and will enable farmers and landowners to continue with farming operations or other land uses such as forestry practices and recreational land use.

The Facility 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 Facility assists the State in meeting the goals of the 2015 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 Facility. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and fulltime 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 Facility area, potential environmental and health impacts from construction and operation of the Facility, proposed benefits of the Facility, proposed studies (including preconstruction studies and postconstruction 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 to be assessed.

The PSS will also provide a preliminary scope of an environmental impact analysis containing a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Facility, including potential impacts to, land use in the Facility area; public health and safety; terrestrial ecology, including avian and bat species, and wetlands; water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including potential for shadow flicker; sound; electric magnetic fields; and impacts on the statewide electrical system.

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1251 Waterfront Place, 3rd Floor	NYS Department of Public Service
Pittsburgh, PA 15222	3 Empire State Plaza
6468398919 (o)	Albany, NY 12223
4125789757 (f)	5184747080
ksheen@everpower.com	

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 Secretary to the Commission
 New York State Public Service Commission
 Empire State Plaza
 Agency Building 3
 Albany, NY 122231350

LIVINGSTON COUNTY

Woman charged with workers' comp fraud

Christine Weipert arraigned, pleads not guilty

From staff reports

MOUNT MORRIS — New York State Inspector General Catherine Leahy Scott announced Thursday the arrest and arraignment of a Livingston County woman on charges she falsified injuries and feigned the use of a cane to fraudulently obtain more than \$27,000 in workers' compensation benefits.

Christine Weipert, 51, of Genesee Street, Mount Morris,

was arraigned Wednesday evening in Mount Morris Village Court on the charges of third-degree grand larceny, third-degree insurance fraud, first-degree falsifying business records and the Workers' Compensation charge of fraudulent practices, all felony charges.

An investigation by Scott found Weipert reported she was injured in Aug. 2013 while unpacking a printer at the Wayne-Finger Lakes BOCES where she worked as a computer service assistant. Since then, Weipert has been receiving weekly workers' compensation benefits while repeatedly asserting to medical

examiners that she was unable to work, sit or stand for prolonged periods, and that she needs a cane to walk. The investigation, which included a review of her social media records and the Workers' Compensation charge of fraudulent practices, all felony charges. Weipert has been receiving weekly workers' compensation benefits while repeatedly asserting to medical

Weipert was separately observed by law enforcement officers in her home town walking without any limp or cane, and in the fall of 2015 filed documents with her

employer's workers compensation administrator attesting that she was unable to work and had difficulty driving and walking because of her injury. Weipert has been receiving workers' compensation benefits of \$585 per week and since being observed without any impairment, received more than \$27,000 in benefits to which she was not entitled, authorities claim.

Weipert was arraigned in Village of Mount Morris Court Wednesday evening and entered a not guilty plea. She was released pending a return date for court of Tuesday, Aug. 9.

EXPANDING SERVICE

Empire wins broadband grant

PRATTSBURGH — Empire Access has received a \$3.4 million grant from the New NY Broadband Program. The New NY Broadband Program was developed to help fund the expansion of high-speed broadband Internet service in the state, with an ultimate goal of ensuring that all New Yorkers have high-speed broadband access by the end of 2018.

Empire Access is a locally owned and operated telecommunications company, offering high-speed Internet, digital television, phone and security services to homes and businesses — all enabled by Fiber Optic technology — to over 25 communities in Upstate New York and Northern Pennsylvania.

The New NY Broadband Program grant provides Empire Access with significant funding for the expansion of high-speed broadband services to more than 1,900 homes and businesses in the Southern Tier region of New York,

including Burdett, Lodi and Odessa, officials said. These specific areas were identified by the New York State Broadband Program Office as underserved or unserved in Phase I of a multi-phase grant process.

Empire will offer residents in the awarded areas super-fast Internet service with standard speeds of 100 Mbps download x20 Mbps upload, along with an even faster one Gigabit per second option. High definition digital television, digital phone, security and smart home services will also be available. All services will utilize a state-of-the-art, 100 percent fiber optic dedicated connection.

“Empire Access is excited to be part of the state's broadband initiative to expand high-speed broadband services throughout New York,” said Jim Baase, chief operating officer for Empire Access. “We're looking forward to working with Governor (Andrew) Cuomo and the state of New York to accomplish this goal.”

ZIKA CONCERNS

Pregnant women in Miami fearful of city's hot zone

By Kelli Kennedy and Lynne Sladky
The Associated Press

MIAMI — Jessica Ardenite waited 36 years to have her first baby. Her parents will visit in two weeks to watch their grandson's ultrasound.

There are cribs and car seats to shop for, a nursery to decorate, and bottles, diapers and clothes to buy.

And now, on top of everything else, there is Zika to worry about.

Ardenite lives in the one-square-mile section of Miami

that health officials are urging pregnant women to avoid because of the mosquito-borne illness, which can cause severe birth defects, including stunted heads.

“You can take every step you can trying to take care of yourself with your diet

and exercise and going to your prenatal appointments, but now I have to worry about mosquitoes and going outside,” a four-months-pregnant Ardenite said, petting her dog as she sat on the couch in her one-bedroom apartment.

IN BRIEF

1 killed, 3 wounded in 2 Buffalo shootings

BUFFALO — Police say they're investigating two separate shootings in Buffalo that have left one person dead and three others

wounded.

Officials say the first shooting occurred around 2 a.m. Thursday in the city's Broadway-Fillmore neighborhood. Police say a 21-year-old man died at the scene and two other people were wounded.

Information on the conditions of the injured victims hasn't been released.

Soon after the shooting police responded to a report of shots fired on Hickory Street. Officers say a man there had been shot in

the arm.

Bethpage cleanup could cost \$587M

BETHPAGE — New York state says it could cost between \$269 million and \$587 million

and take up to 100 years to clean up contaminants from groundwater plumes in the Bethpage, Long Island area.

According to Newsday, a Department of Environmental Conservation report says the contamination put

drinking water at risk for 250,000 people. The state says it intends to seek financial restitution from the Navy and Northrop Grumman to restore and protect aquifers.

— The Associated Press

Baron Winds Wind Project Steuben County, New York

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Secretary to the Commission
New York State Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 122231350

STOCK CAR RACING IN THE '50S

TURNING BACK THE CLOCK

Easton delights during Hornell library talk

By Ryan Papaserge
Sunday Spectator

HORNELL — The history of stock car racing in the Hornell area came alive Wednesday night at the Hornell Public Library as author and historian Ford Easton discussed his book “Stock Car Racing in the ‘50s.”

Easton, a native of Friendship who now resides in St. Petersburg, Fla., spent eight years working on the book, a “work of love” rooted in Allegany County.

“(Easton and his family) would go to the depot all the time,” Easton said. “The Erie main line ran through there just like it does Hornell. I wanted to get up close to the track and my mother would always say ‘no, get back, that’s very dangerous.’”

The noise and steam from those trains entranced Easton at a young age as did as a gas station near him on Cuba-Friendship Road.

“I wanted to gravitate over there so I did,” Easton said. “Probably drove the people crazy asking all of these questions but I learned a lot about cars so it was an exciting time. I remember hearing about the races at the time but



Bonnie Lane DeVore is pictured with Otto Goodwin, a racer and winner at Hornell Raceway. A picture of DeVore and Goodwin in Victory Lane at Hornell Raceway in 1959 ran in The Evening Tribune last week. RYAN PAPASERGE/THE EVENING TRIBUNE

I didn’t know that much about them.”

And then Cuba Lake Raceway opened in August of 1954.

“I was just awed by the sounds, the smells, the excitement of these cars with those Ford flat-heads,” Easton said. “They all had dual exhaust. It was just a great time to be alive. I would walk through a glass field to get to those races.”

Fast-forward to six-plus

decades later and Easton’s written the definitive book on regional racing from that era.

The front cover of his book features 1954 Cuba Lake Raceway champion Bill Rafter while the back cover includes Dean Layfield, who spent most of his life in Wellsville and competed in the 1958 NASCAR Grand National race at Daytona Beach, Fla. — the final event on those fabled

shores.

Before the book, Easton had organized a reunion of drivers who competed at Cuba Lake Raceway with the first of those events taking place in 2003.

“I was retired and I could afford to do it,” Easton said. “I wanted to pay these people back for directing my life, for lack of a better word. Lo and behold, the word of mouth got around. I did the newspaper articles

and we found 48 of the drivers who had run at Cuba Lake back in the day.”

This year’s reunion was canceled due to health issues with some of the organizers.

While Easton had center stage Wednesday night he was more than willing to share it with Otto Goodwin, a local driver who completed at Hornell Raceway; Paul Amidon, who founded, owned and

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— Ford Easton

operated Hornell Raceway; and Larry Dotter, a local track announcer in the 1950s and 1960s.

Easton went through a slideshow of images from days gone by, including a picture of a helmet and shirt Goodwin wore during his racing days; a picture of a fiery crash at Naples Speedway; a list of NASCAR rules and regulations from 1949; and an article about Satan’s Bowl of Death, a road course near Busti.

“Stock Car Racing in the ‘50s” can be purchased by sending a check or money order to Ford Easton, 5200 28th St. N. #651, St. Petersburg, FL 33714 or calling 727-522-4042.

Books cost \$15 each plus \$4 shipping for one, \$6 for two and \$8 for three to 10 books.

Easton’s book can also be purchased on Amazon.

Baron Winds Wind Project Steuben County, New York

NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Baron Winds LLC (Applicant), a subsidiary of EverPower Wind Holdings, Inc. is proposing to submit an Application to construct the Baron Winds Project (Facility), a wind powered major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about August 10, 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 on the scope and methodology of the studies proposed.

The proposed Facility is an up to 300 megawatt (MW) windpowered electric generating facility. The Facility components are proposed to include the installation and operation of up to 120 wind turbines in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, together with the associated collection lines (below grade 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 adjacent to an existing interconnection substation, which will be used to interconnect with New York State Electric and Gas Corporation’s 230 kV transmission line in the Town of Cohocton. The Facility is proposed to be located on leased private land that is generally rural in nature. The actual footprint of the proposed facilities is not determined at this point in the process, but will be located within the leased land, and will enable farmers and landowners to continue with farming operations or other land uses such as forestry practices and recreational land use.

The Facility 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 Facility assists the State in meeting the goals of the 2015 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 Facility. Other positive impacts to be discussed in the PSS include employment opportunities, specifically by generating temporary construction employment and fulltime 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 Facility area, potential environmental and health impacts from construction and operation of the Facility, proposed benefits of the Facility, proposed studies (including preconstruction studies and postconstruction 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 to be assessed.

The PSS will also provide a preliminary scope of an environmental impact analysis containing a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Facility, including potential impacts to, land use in the Facility area; public health and safety; terrestrial ecology, including avian and bat species, and wetlands; water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including potential for shadow flicker; sound; electric magnetic fields; and impacts on the statewide electrical system.

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 designated 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 less 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 reasonable and available alternative locations, a statement of why any local substantive standards should not be applied, an electric interconnection study including general design study and SRIS, security and emergency plans, 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 141 unless otherwise waived by the Siting Board or otherwise not applicable.

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 application intervenor funds that are available to be used by parties to participate in formal review of the Application. A prehearing 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, the Applicant will provide funding in the amount of \$105,000 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 preapplication 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 shall issue a notice of availability of preapplication intervenor funds providing a schedule and related information describing how interested members of the public may apply for preapplication funds. Requests for preapplication funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of preapplication intervenor funds. A preapplication 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.

To obtain information regarding the Project, please contact:

Contact information for Applicant:
Kevin Sheen
1251 Waterfront Place, 3rd Floor
Pittsburgh, PA 15222
6468398919 (o)
4125789757 (f)
ksheen@everpower.com

Contact information for DPS Article 10 Coordinator:
James Denn
NYS Department of Public Service
3 Empire State Plaza
Albany, NY 12223
5184747080

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