

Young / Sommer LLC

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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, County of Steuben, New York

Dear Secretary Burgess:

Baron Winds LLC ("Baron Winds"), is proposing to construct a major electric generating facility in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, Steuben County, New York (the "Facility"). To construct the facility, Baron Winds is seeking a certificate of environmental compatibility and public need ("Certificate") from the New York State Board on Electric Generation Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law ("PSL") and the Siting Board's rules (16 NYCRR Part 1000).

Pursuant to PSL §163 and §1000.5 of the Siting Board's rules (16 NYCRR §1000.5), Baron Winds hereby files its Preliminary Scoping Statement ("PSS"). Please find enclosed ten paper copies of the PSS with a check provided under separate cover directly from Baron Winds for pre-application intervenor funding as required by PSL §163(4).

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

Pursuant to Article 10 (PSL §163(2)) and Section 1000.5 of the Siting Board's rules, copies of the PSS have been served on the parties identified in 16 NYCRR §1000.5(c). (See, Affidavit of Service attached as Attachment 1 in compliance with 16 NYCRR §1000.5(f)(a)).

Pursuant to Section 1000.5(d), notice of the PSS with a summary was scheduled to be published in the Evening Tribune on August 4th, 5th, and 7th and in the Corning Leader on August 4th, 5th, 6th and 7th. An affidavit of publication in compliance with 1000.5(f)(c) from the Evening Tribune and the Corning Leader will be filed when it is received from the newspaper. A copy of the notice is attached hereto as Attachment 2.

Pursuant to Section 1000.5(e), at least three days' advance notice of the filing of the PSS was served on the parties on each member of the State Legislature in whose district the Facility is proposed to be located. A copy of the letter to the Legislatures is attached hereto as Attachment 3.

Pursuant to Section 1000.5(e)(3), on August 8, 2016, our office sent an electronic mail correspondence to the party list maintained by the Secretary on the Facility's Document and Matter Management website, a copy of which is attached hereto as Attachment 4 in compliance with 1000.5(f)(b).

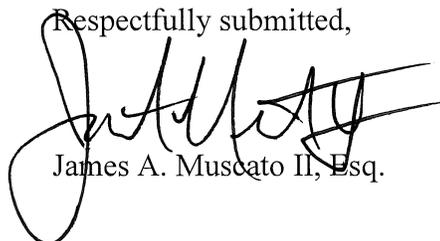
Pursuant to 1000.5(g), any person, agency or municipality may submit comments on the PSS by filing a copy with the Secretary and serving the applicant at the following address:

Baron Winds LLC
Kevin Sheen
Senior Director, Development
1251 Waterfront Place, 3rd Floor
Pittsburgh, PA 15222

Baron Winds looks forward to working with the interested parties and stakeholders during the pre-application phase of this process.

Please do not hesitate to call me with any questions.

Respectfully submitted,



James A. Muscato II, Esq.

JAM/kjr

cc: Service List

Attachment 1: Affidavit of Service for 1000.5(f)(a)- Copies of the PSS

Attachment 2: Copy of Notice of Filing PSS

Attachment 3: Copy of letters to Legislatures for 1000.5(f)(b)

Attachment 4: Affidavit of Service for 1000.5(f)(b) - Advance Notice of PSS Filing to Party List

ATTACHMENT 1

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

Application of Baron Winds LLC, for a Certificate
of Environmental Compatibility and Public Need to
Construct a Major Electric Generating Facility in the
Towns of Avoca, Cohocton, Dansville, Fremont,
Howard, and Wayland, New York

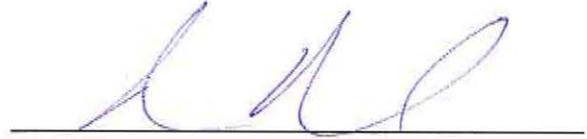
CASE NO. 15-F-0122

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF Oneida) ss:

Ben Brazell, being duly sworn, deposes and says that on the 8th
day of August, in the year 2016, she/he will, on August 9, 2016, serve a copy of Baron Wind
LLC's Preliminary Scoping Statement, with exhibits and appendices thereto, by mailing a true
hard copy and/or digital copy, or copies, thereof via UPS Ground, upon the recipients identified in
the attached list.

MARY E. VANELLI
Notary Public - State of New York
No. 01VA6197320
Qualified in Madison County
My Commission Expires Nov. 24, 2016



Sworn to me before me
this 8th day of August, 2016

Mary E. Vanelli
Notary Public

SERVICE LIST (EDR)

Case 15-F-0122 -Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project

ADDRESSEE	SERVICE COPIES
Secretary to the Commission Hon. Kathleen H. Burgess Secretary to the Commission New York State Public Service Commission Empire State Plaza Agency Building 3 Albany, NY 12223-1350 Email: secretary@dps.ny.gov	10 paper copies
Basil Seggos, Acting Commissioner NYS Department of Environmental Conservation ATTN: Rudyard Edick 625 Broadway Albany, NY 12233	1 CD; 1 paper copy of PSS Figures
Paul D'Amato, Regional Director NYS Department of Environmental Conservation Region 8 6274 East Avon-Lima Rd. (Rtes. 5 and 20) Avon, NY 14414-9516	1 CD; 1 paper copy of PSS Figures
Howard A. Zucker, Commissioner NYS Department of Health ATTN: Dr. Zucker Corning Tower; Room 2531 Empire State Plaza Albany, NY 12237	1 CD; 1 paper copy
John B. Rhodes, President NYSERDA 17 Columbia Circle Albany, NY 12203	2 CDs
Howard Zemsky, Commissioner NYS Department of Economic Development 625 Broadway Albany, NY 12245	1 CD; 1 paper copy of PSS Summary and Conclusions Section

SERVICE LIST (EDR)

Case 15-F-0122 -Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project

Charles Harmon, Supervisor Town of Avoca 3 Chase Street Avoca, NY 14809	1 paper copy
Jack Zigenfus, Supervisor Town of Cohocton 15 South Main Street Cohocton, NY 14826	1 paper copy
Michael Willis, Supervisor Town of Dansville 2281 County Route 50 Wayland, NY 14572	1 paper copy
Robert Osborn, Supervisor Town of Fremont 8562 County Route 46 Arkport, NY 14807	1 paper copy
Donald Evia, Supervisor Town of Howard 3725 Mill Road Avoca, NY 14809	1 paper copy

SERVICE LIST (EDR)

Case 15-F-0122 -Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project

George Ott, Supervisor Town of Wayland 110 North Main Street Wayland, NY 14572	1 paper copy
Jack Wheeler, County Manager Steuben County 3 East Pulteney Square Bath, NY 14810	1 paper copy
Richard Ball, Commissioner ATTN: Tara Wells NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235 Richard Ball, Commissioner ATTN: Mike Saviola NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235	2 CDs (1 to each address)
Rossana Rosado, Acting Secretary of State NYS Department of State ATTN: Eric Hogan Director, Utility Intervention Unit 99 Washington Avenue Suite 640 Albany, NY 12231	1 CD
Eric T. Schneiderman Office of the Attorney General The Capitol Albany, NY 12224-0341	1 CD

SERVICE LIST (EDR)

Case 15-F-0122 -Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project

<p>Matthew Driscoll, Commissioner NYS Department of Transportation 50 Wolf Road Albany, NY 12232</p>	<p>1 paper copy</p>
<p>Rose Harvey, Commissioner NYS Office of Parks, Recreation, and Historic Preservation ATTN: Diana Carter 625 Broadway Albany, NY 12207</p> <p>Rose Harvey, Commissioner NYS Office of Parks, Recreation, and Historic Preservation ATTN: John Bonafide Director, Technical Preservation Services Bureau Division for Historic Preservation Peebles Island Resource Center 1 Delaware Avenue North Cohoes, NY 12047</p>	<p>2 CDs (1 CD to each address)</p>
<p>Cohocton Public Library 8 Maple Ave. Cohocton, NY 14826</p>	<p>1 paper copy</p>
<p>Hornell Public Library 64 Genesee St. Hornell, NY 14843-1651</p>	<p>1 paper copy</p>

ATTACHMENT 2

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) wind-powered 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 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 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 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 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 1-41 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 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, 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 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 shall 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.

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

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 "Search" at the top of the webpage, then search using the Case Number 15-F-0122 or the direct link:

(<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=15-f-0122>)

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

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 or sent by mail to the following address:

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

ATTACHMENT 3



August 4, 2016

Assemblyman William Nojay
133rd Assembly District
Legislative Office Building, Room 527
Albany, NY 12248

Re: Notice of Baron Winds LLC Preliminary Scoping Statement, Case No. 15-F-0122

Dear Assemblyman Nojay,

As you are probably aware, Baron Winds LLC (“Baron”) proposes to construct a major electric generating facility in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, New York. To construct the facility, Baron is seeking a certificate of environmental compatibility and public need (“CECPN”) from the New York State Board on Electric Generation Siting and the Environment (“Siting Board”) pursuant to Article 10 of the Public Service Law and the Siting Board’s rules (16 NYCRR Part 1000).

The Siting Board’s rules require that, at least ninety (90) days before filing its application for a CECPN, Baron file a Preliminary Scoping Statement (“PSS”). The Siting Board’s rules further require that Baron provide three (3) days’ notice of filing of the PSS to “each member of the state legislature in whose district any portion of [a project] is proposed to be located or in which any alternative location identified is located, or in which any interconnections or related facilities necessary to serve the proposed facility are proposed to be located.” (16 NYCRR § 1005(e))

Thus, please be advised of the attached Public Notice regarding the filing of the Preliminary Scoping Statement for the Baron Winds Project. Please do not hesitate to reach out to me if you have any questions regarding the Project.

Best,

Seth Wilmore
Director, Environmental Affairs
swilmore@everpower.com
(412) 253-9419

Enclosure



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) wind-powered 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 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 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 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 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 1-41 unless otherwise waived by the Siting Board or otherwise not applicable.

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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

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 "Search" at the top of the webpage, then search using the Case Number 15-F-0122 or the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=15-f-0122>)

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

P	US POSTAGE & FEES PAID PRIORITY MAIL LEGAL FLAT-RATE ENVELOPE COMMERCIAL BASE PRICING	082S0007226288 FROM 15222
		
PRIORITY MAIL 2-DAY™		
Bonnie Pendergast EverPower Wind Holdings 1251 Waterfront Place 3rd Floor Pittsburgh PA 15222		0004 <div style="border: 1px solid black; padding: 2px; display: inline-block;">C000</div>
SHIP TO: Assemblyman William Nojay 133rd Assembly District NYS Assembly, Room 527 Albany NY 12248-0001		
USPS TRACKING #		
		
9405 5118 9956 3043 5811 30		



August 4, 2016

Assemblyman Philip Palmesano
132nd Assembly District
Legislative Office Building, Room 320
Albany, NY 12248

Re: Notice of Baron Winds LLC Preliminary Scoping Statement, Case No. 15-F-0122

Dear Assemblyman Palmesano,

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Seth Wilmore
Director, Environmental Affairs
swilmore@everpower.com
(412) 253-9419

Enclosure



Baron Winds Wind Project Steuben County, New York

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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
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Albany, NY 12223-1350

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SHIP TO: Assemblyman Philip Palmesano 132nd Assembly District NYS Assembly, Room 320 Albany NY 12248-0001		
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August 4, 2016

Assemblyman Brian M. Kolbm
131st Assembly District
Legislative Office Building, Room 933
Albany, NY 12248

Re: Notice of Baron Winds LLC Preliminary Scoping Statement, Case No. 15-F-0122

Dear Assemblyman Kolbm,

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Thus, please be advised of the attached Public Notice regarding the filing of the Preliminary Scoping Statement for the Baron Winds Project. Please do not hesitate to reach out to me if you have any questions regarding the Project.

Best,

Seth Wilmore
Director, Environmental Affairs
swilmore@everpower.com
(412) 253-9419

Enclosure



Baron Winds Wind Project

Steuben County, New York

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August 4, 2016

Senator Catharine Young
57th Senate District
Legislative Office Building, Room 428
Albany, NY 12247

Re: Notice of Baron Winds LLC Preliminary Scoping Statement, Case No. 15-F-0122

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Enclosure



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Steuben County, New York

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Bonnie Pendergast 0004
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 3rd Floor
 Pittsburgh PA 15222 C000

SHIP TO: Senator Catharine Young
 57th Senate District
 NYS Senate, Room 428
 Albany NY 12247-0001

USPS TRACKING



9405 5118 9956 3043 7341 47



August 4, 2016

Senator Thomas O'Mara
58th Senate District
Legislative Office Building, Room 307
Albany, NY 12247

Re: Notice of Baron Winds LLC Preliminary Scoping Statement, Case No. 15-F-0122

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

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August 4, 2016

Assemblyman Joseph Giglio
148th Assembly District
Legislative Office Building, Room 439
Albany, NY 12248

Re: Notice of Baron Winds LLC Preliminary Scoping Statement, Case No. 15-F-0122

Dear Assemblyman Giglio,

As you are probably aware, Baron Winds LLC (“Baron”) proposes to construct a major electric generating facility in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, New York. To construct the facility, Baron is seeking a certificate of environmental compatibility and public need (“CECPN”) from the New York State Board on Electric Generation Siting and the Environment (“Siting Board”) pursuant to Article 10 of the Public Service Law and the Siting Board’s rules (16 NYCRR Part 1000).

The Siting Board’s rules require that, at least ninety (90) days before filing its application for a CECPN, Baron file a Preliminary Scoping Statement (“PSS”). The Siting Board’s rules further require that Baron provide three (3) days’ notice of filing of the PSS to “each member of the state legislature in whose district any portion of [a project] is proposed to be located or in which any alternative location identified is located, or in which any interconnections or related facilities necessary to serve the proposed facility are proposed to be located.” (16 NYCRR § 1005(e))

Thus, please be advised of the attached Public Notice regarding the filing of the Preliminary Scoping Statement for the Baron Winds Project. Please do not hesitate to reach out to me if you have any questions regarding the Project.

Best,

Seth Wilmore
Director, Environmental Affairs
swilmore@everpower.com
(412) 253-9419

Enclosure



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) wind-powered 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 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 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 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 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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Bonnie Pendergast
EverPower Wind Holdings
1251 Waterfront Place
3rd Floor
Pittsburgh PA 15222

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SHIP TO: Assemblyman Joseph Giglio
148th Assembly District
NYS Assembly, Room 439
Albany NY 12248-0001

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Types of Containers

Introduction

5. Vehicle X Overview

3. Why do you Photo Simulation

4. Using Job Lists



August 4, 2016

Senator Richard Funke
55th Senate District
Legislative Office Building, Room 905
Albany, NY 12247

Re: Notice of Baron Winds LLC Preliminary Scoping Statement, Case No. 15-F-0122

Dear Senator Funke,

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Steuben County, New York

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SHIP TO: Senator Richard Funke 55th Senate District NYS Senate, Room 905 Albany NY 12247-0001		
USPS TRACKING #		
		
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ATTACHMENT 4

PARTY LIST

Case 15-F-0122 -Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 300 MW Wind Energy Project- Public Involvement Program Meeting Log Update

Behnke, Heather Assistant Counsel New York State Department of Public Service <u>Heather.Behnke@dps.ny.gov</u>	1 electronic
Michael Saviola Associate Environmental Analyst New York State Department of Agriculture & Markets <u>michael.saviola@agriculture.ny.gov</u>	1 Electronic
Muscato, James Attorney Young/Sommer LLC <u>jmuscato@youngsommer.com</u>	1 electronic
Weintraub, Lawrence Assistant Counsel, Office of General Counsel New York State Department of Environmental Conservation <u>Lawrence.Weintraub@dec.ny.gov</u>	1 electronic

Jessica Klami

From: Jessica Klami
Sent: Monday, August 08, 2016 9:59 AM
To: 'heather.behnke@dps.ny.gov'; 'michael.saviola@agriculture.ny.gov'; 'lawrence.weintraub@dec.ny.gov'
Cc: James Muscato
Subject: Notice of PSS Filing for Baron Winds
Attachments: Baron Winds PSS Notice.pdf

Good Morning

Pursuant to 16 NYCRR 1000.5 (e) please find attached a copy of the Notice of Submission of Preliminary Scoping Statement for Baron Winds LLC.

Sincerely,

Jessica Ansert Klami, Esq.
Associate Attorney

Young / Sommer LLC

ATTORNEYS AT LAW

office: 518.438.9907 Ext. 272

fax: 518.438.9914

jklami@youngsommer.com

Executive Woods, Five Palisades Drive, Albany, NY 12205

www.youngsommer.com

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