

# 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](http://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](mailto:jmuscato@youngsommer.com)

September 30, 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 wind electric generating facility in the Towns of Avoca, Cohocton, Dansville, Fremont, Howard, and Wayland, Steuben County, New York (the "Facility").

Baron Winds filed a Preliminary Scoping Statement ("PSS") in accordance with Public Service Law § 163 and § 1000.5 of the Siting Board's rules (16 NYCRR 1000.5) on August 10, 2016. The deadline for submitting comments on the PSS was August 31, 2016 and the deadline for Baron Winds' response to comments was originally September 21, 2016, but on September 21, 2016, the Secretary issued a Notice extending the deadline to file a response to comments pursuant to 16 NYCRR 1000.5[g] to September 30, 2016. In accordance with 1000.5[g], Baron Winds has prepared a summary of the material comments and its reply thereto.

Hon. Kathleen Burgess, Secretary to the Commission  
September 30, 2016  
Page 2 of 2

Pursuant to 16 NYCRR 1000.5[c] and [g], please find enclosed ten (10) paper copies and an electronic copy of Baron Wind's response to comments. Copies of the enclosed responses are being provided to all parties in the same manner that they received the PSS. A service list is attached hereto providing a list of the parties receiving these responses.

Respectfully submitted,



James A. Muscato II  
Jessica Ansert Klami

Enclosures

cc: Service list

**SERVICE 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 Major Electric Generating Facility

ADDRESSEE	SERVICE COPIES
<p>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: <a href="mailto:secretary@dps.ny.gov">secretary@dps.ny.gov</a></p>	<p>10 paper copies, 1 CD</p>
<p>Basil Seggos, Acting Commissioner            NYS Department of Environmental Conservation            ATTN: Rudyard Edick            625 Broadway            Albany, NY 12233</p>	<p>1 CD</p>
<p>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</p>	<p>1 CD</p>
<p>Howard A. Zucker, Commissioner            NYS Department of Health            ATTN: Henry Spliethoff            Corning Tower            Empire State Plaza            Albany, NY 12237</p>	<p>1 CD; 1 paper copy</p>
<p>John B. Rhodes, President            NYSERDA            17 Columbia Circle            Albany, NY 12203</p>	<p>2 CDs</p>
<p>Howard Zemsky, Commissioner            NYS Department of Economic Development            625 Broadway            Albany, NY 12245</p>	<p>1 CD</p>

**SERVICE 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 Major Electric Generating Facility

<b>Charles Harmon, Supervisor Town of Avoca PO Box 468 Avoca, NY 14809</b>	<b>1 paper copy</b>
<b>Thomas Johnson, Supervisor Town of Cohocton 19 Main Street Box 200 Atlanta NY 14808</b>	<b>1 paper copy</b>
<b>Michael Willis, Supervisor Town of Dansville 2281 County Route 50 Wayland, NY 14572</b>	<b>1 paper copy</b>
<b>Robert Osborn, Supervisor Town of Fremont 8562 County Route 46 Arkport, NY 14807</b>	<b>1 paper copy</b>
<b>Donald Evia, Supervisor Town of Howard 3725 Mill Road Avoca, NY 14809</b>	<b>1 paper copy</b>

**SERVICE 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 Major Electric Generating Facility

<b>George Ott, Supervisor Town of Wayland 110 North Main Street Wayland, NY 14572</b>	<b>1 paper copy</b>
<b>Jack Wheeler, County Manager Steuben County 3 East Pulteney Square Bath, NY 14810</b>	<b>1 paper copy</b>
<b>Richard Ball, Commissioner ATTN: Tara Wells NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235</b>  <b>Richard Ball, Commissioner ATTN: Mike Saviola NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235</b>	<b>2 CDs (1 to each address)</b>
<b>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</b>	<b>1 CD</b>
<b>Eric T. Schneiderman Office of the Attorney General The Capitol Albany, NY 12224-0341</b>	<b>1 CD</b>

**SERVICE 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 Major Electric Generating Facility

<p><b>Matthew Driscoll, Commissioner NYS Department of Transportation 50 Wolf Road Albany, NY 12232</b></p>	<p><b>1 paper copy</b></p>
<p><b>Rose Harvey, Commissioner NYS Office of Parks, Recreation, and Historic Preservation ATTN: Diana Carter 625 Broadway Albany, NY 12207</b></p> <p><b>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 State Park P.O. Box 189 Waterford, NY 12188-0189</b></p>	<p><b>2 CDs (1 CD to each address)</b></p>
<p><b>Cohocton Public Library 8 Maple Ave. Cohocton, NY</b></p>	<p><b>1 paper copy</b></p>
<p><b>Hornell Public Library 64 Genesee St. Hornell, NY</b></p>	<p><b>1 paper copy</b></p>
<p><b>Howard Public Library 3607 County Route 70A Hornell NY 14843</b></p>	<p><b>1 paper copy of PIP 1 paper copy of PSS 1 paper copy of Comment Response</b></p>