

Invenergy

November 7, 2016

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

Subject: Case 16-F-0328- Application of Number Three Wind LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a 105.8 MW Wind Energy Project

Dear Secretary Burgess:

Number Three Wind (NTW) 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 NTW 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):

- Lowville Journal and Republican on November 2, 2016
- Boonville Herald on November 2, 2016

Pursuant to Section 1000.5(e), BRE provided three days' advance notice of the PSS filing to Assemblyman Ken Blankenbush and Senator Joe Griffo (see Attachment 3). NTW 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

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

Number Three Wind 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,



Eric Miller
Director, Business Development
Invenergy LLC

AFFIDAVIT OF SERVICE

State of New York

Board on Electric Generation Siting and the Environment

Application of Number Three Wind LLC for a Certificate of Environmental Compatibility and Public Need to Construct an Approximately 105.8 MW Wind Electric Generating Facility in Lewis County, NY.

Case No. 16-F-0238

STATE OF NEW YORK)

) SS:

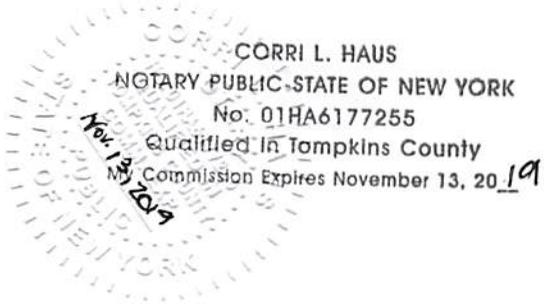
COUNTY OF TOMPKINS)

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 Number Three Wind 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 7th day of November, 2016


Notary Public


Marguerite Wells



Service List
Number Three Wind Preliminary Scoping Statement

Harrisburg Town Board Steve Bernat, Supervisor 3620 O'Brien Rd Lowville, NY 13367	1 Paper Copy	11/7/2016
Lowville Town Board Randall Schell, Supervisor 5535 Bostwick St. Lowville, NY 13367	1 CD	11/7/2016
Lewis County Legislature Liz Swearingin, County Manager 7660 N. State Street Lowville, NY 13367	1 CD	11/7/2016
Lowville Free Library 5387 Dayan St Lowville, NY 13367	1 Paper Copy	11/7/2016
Lowville Town Hall Gail Klosner, Town Clerk 5535 Bostwick St Lowville, NY 13367	1 Paper Copy	11/7/2016
Harrisburg Municipal Office Lisa Sawdey, Town Clerk 7886 Cobb Rd, Copenhagen, NY 13626	1 Paper Copy	11/7/2016
NYS OPRHP John Bonafide, Director, Technical Preservation Po Box 189 Waterford, NY 12188-0189	1 CD	11/7/2016
Peyton Taylor, Director Thousand Islands Region PO Box 247 45165 NYS Rt 12 Alex Bay, NY 13607	1 CD	11/7/2016
NYS Senator Joe Griffo 207 Genesee St, Rm 408 Utica, NY 13501	1 Paper Copy	11/7/2016
NYS Department of Environmental Conservation Basil Seelos, Acting Commissioner Unit. Division of Environmental Permits 625 Broadway, 4th Floor Albany, NY 12233	1 Paper Copy, 1 CD	11/7/2016

Service List
Number Three Wind Preliminary Scoping Statement

NYS DEC Regional Office Fred Munk, Region 6 Natural Resource Manager 317 Washington St. Watertown NY 13601	2 paper, 2 CD	11/7/2016
NYS Department of Health Howard Zucker, Commissioner Corning Tower, Empire State Plaza, Room 1619 Albany, NY 12237	1 Paper Copy, 1 CD	11/7/2016
NYSERDA John Rhodes 17 Columbia Circle, Albany, NY 12203-6399	2 CDs	11/7/2016
Empire State Development Corporation Howard Zemskv, CEO 633 Third Ave 36 th Floor New York, New York 10017	1 Paper Copy, 1 CD	11/7/2016
NYS Department of Agriculture and Markets Richard Ball, Commissioner 10B Airline Dr. Albany, NY 12235	1 Paper Copy	11/7/2016
NYS Department of State Hon. Rossana Rosado, Secretary One Commerce Plaza, 99 Washington Avenue Albany, NY 12231-0001	1 CD	11/7/2016
Office of the Attorney General The Capitol Albany, NY 12224-0341	1 Paper Copy	11/7/2016
NYS Department of Transportation Matthew Driscoll, Commissioner 50 Wolf Road Albany, NY 12232	1 CD	11/7/2016
NYS Department of Transportation Steve Kokkoris, Regional Director 317 Washinaton St. Watertown, NY 13601	1 CD	11/7/2016

Service List
Number Three Wind Preliminary Scoping Statement

USACE, NY District Maggie Crawford Buffalo District Regulatory Branch 7413 County House Rd. Auburn, NY 13021	1 CD	11/7/2016
USFWS Tim Sullivan 3817 Luker Rd Cortland, NY 13045	1 CD	11/7/2016
Public Information Coordinator, DPS- Inquiries James Denn NYS Department of Public Service 3 Empire State Plaza Albany, NY 12223	1 CD	11/7/2016
Hon. Kathleen Burgess, Secretary-Comments NYS Department of Public Service 3 Empire State Plaza Albany, NY 12223	10 Paper Copies, 1 CD	11/7/2016

LEGAL NOTICE

NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Number Three Wind 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 November 9th, 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 105.8 megawatt (MW) wind-powered electric generation project. The Project components are proposed to include the installation and operation of up to 50 wind turbines in the Towns of Harrisburg and Lowville, in Lewis County NY, together with the associated collection lines, 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 115 kV electrical line and an interconnection substation, which will interconnect with National Grid's 115kV transmission line in the Town of Lowville. It is anticipated that the newly constructed 115 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 (DPS). 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, Number Three Wind will provide funding in the amount of \$37,030 (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 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

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@invenenergyllc.com

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 16-F-0328 or the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?Mattercaseno=16-F-0328>) or by going to the Project-specific website maintained by the Applicant: www.NumberThreeWind.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 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

DATED: OCTOBER 21, 2016
PUB. DATE: NOVEMBER 2, 2016

See attached

AFFIDAVIT OF PUBLICATION

State of New York }
County of Oneida } ss:

REGINA WIEDMER, being duly sworn, deposes and says that she is, and during the time hereinafter mentioned, was secretary/receptionist at the **BOONVILLE HERALD**, a newspaper published in the County of Oneida, State of New York, aforesaid, and that the annexed notice was published in said newspaper on the following dates, to wit:

Regina Wiedmer
Regina Wiedmer

Sworn to before me this
2nd day of *November* *2016*

ELIZABETH L. HAIG
Notary Public, State of New York.
#01HA4886638
Qualified in Lewis County
Commission expires May 04, *2019*

Elizabeth L. Haig
Notary Public