

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case 23-E-0297 - Petition of Canisteo Wind Energy LLC for an Original Certificate of Public Convenience and Necessity, Granting a Lighted Regulatory Regime, and Approval of Construction Financing.

NOTICE INVITING COMMENTS AND
ANNOUNCING VIRTUAL PUBLIC STATEMENT HEARING

(Issued December 12, 2023)

Comments are requested concerning a petition filed by Canisteo Wind Energy, LLC (Canisteo), seeking a Certificate of Public Convenience and Necessity (CPCN) from the Public Service Commission (Commission), pursuant to Section 68 of the Public Service Law (PSL). If issued, the CPCN would authorize Canisteo to construct, own, and operate a proposed major renewable wind electric generating facility called the Canisteo Wind Energy Center and a major electric transmission facility that would connect the wind generating facility to the New York State Electric and Gas Bennett Substation (together, the Project). Construction and operation of the wind generating facility and transmission facility would be subject to the terms and conditions of Certificates of Environmental Compatibility and Public Need (CECPN) granted to Canisteo by the New York State Board on Electric Generation Siting and the Environment (Siting Board) and Commission, respectively.¹

¹ See Case 16-F-0205, Canisteo Wind Energy, LLC - Wind Generation, Order Granting Certificate of Environmental Compatibility and Public Need, with Conditions (issued March 13, 2020) and Case 19-T-0041, Canisteo Wind Energy, LLC - Electric Transmission Line, Order Adopting Joint Proposal and Granting Certificate of Environmental Compatibility and Public Need, with Conditions (issued August 11, 2022).

Canisteo's petition also asks that the Commission find and determine that Canisteo is entitled to a lightened regulatory regime as a wholesale electric generator and authorize Canisteo to enter into indebtedness pursuant to PSL §69 and pledge a security interest in the Project as collateral security for the repayment of the debt.

The scope of the Commission's review of the Section 68 petition will not duplicate the issues that were previously considered and decided by the Siting Board and Commission in granting the CECPNs.

PLEASE TAKE NOTICE that a virtual public statement hearing will be held before Administrative Law Judge (ALJ) Ashley Moreno on:

DATE: **Wednesday, January 3, 2024**

TIME: **5:30 p.m.**

Electronic Access: www.webex.com

Event Number: 2332 252 5214

Password: Jan03-530pm

Phone Access: 518-549-0500

Access Code: 2332 252 5214

Phone-in password: 52603053

Those wishing to comment on any aspect of this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearing. **Any person wishing to provide a public statement on the record at the hearing must register to do so in advance.**

To register and provide a statement electronically:

Participants who would like to provide a statement and will log in to the hearing electronically, must register to do so by clicking on <https://signin.webex.com/join> by **4:30 p.m.** on **January 2, 2024.** Registrants should enter the appropriate

meeting number for the hearing and click "Continue". Then, click "Register" and provide all requested information.

When logging in to the hearing on the appropriate date and time, participants should click on <https://signin.webex.com/join>, enter the appropriate meeting number for the hearing, and input the appropriate webinar password listed above. Participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require participants to enter their phone numbers.

To register and provide a statement by phone:

Any participant who is not able to log in to the hearing electronically may participate by phone. Call-in participants wishing to make a statement at the hearing must register to do so by **4:30 p.m.** on **January 2, 2024**, by calling **1-800-342-3330**, where they should follow prompts to the appropriate hearing and provide the following information: first name and last name, address, and phone number.

On the appropriate day and time of the hearing, all call-in users should dial **1-518-549-0500** and enter the relevant access code and phone-in password listed above to join the hearing.

All participants will be muted upon entry into the hearing. The ALJ will call on each person who has registered to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. Time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearing will be made for inclusion in the record of this case.

To listen to the hearing:

Any person who would like to listen to the hearing but would not like to make a statement may access the hearing without registering. The hearing will be livestreamed on the internet and available for viewing on the Department of Public Service's YouTube channel on the date and time listed above. To access the YouTube channel, visit the Department's website, www.dps.ny.gov, and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearing by phone by calling **1-518-549-0500** and entering the applicable access code and phone-in password.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at 518-474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this Notice.

Other Ways to Comment

For those who cannot attend or prefer not to present comments at the public statement hearing, there are several other ways to provide your comments. Comments should refer to Case "23-E-0297." **Although comments will be accepted throughout the pendency of this proceeding, they are requested by January 5, 2024.**

Internet or Mail: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter the case number (23-E-0297) in the box labelled "Search by Case Number," and then click on "Post Comments" located at the top right of the page.

Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.² All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case numbers, as described above, and clicking on the "Public Comments" tab.

Toll-Free Opinion Line: Individuals may submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This line is set up to receive in-State calls 24-hours a day. These calls are not transcribed verbatim, but a summary is provided to the Commission.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

² Filing electronically is strongly encouraged.