

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 21-E-0122 - Petition of East River ESS, LLC for an Expedited Order Granting a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law and Establishing a Lightened Regulatory Regime.

NOTICE INVITING COMMENTS

(Issued February 13, 2023)

On December 19, 2022, East River ESS, LLC (East River ESS) filed a petition to amend its Certificate Public Convenience and Necessity (CPCN), issued on June 21, 2021, by the Public Service Commission pursuant to Public Service Law (PSL) §68 (Amendment Petition). The CPCN authorized the construction of a proposed stand-alone, battery-based energy storage facility with a capacity of up to 100 megawatts (MW) located in Astoria, New York (the Facility). East River ESS seeks to amend its CPCN to account for two design modifications: (1) the use of 110 Tesla Energy Megapack 2XLs in place of the originally considered 127 Tesla Energy Megapacks; and (2) an underground generation tie that will be 400 to 500 feet in length, as opposed to the original design that considered use of an interconnecting tie that was 150 to 650 feet in length and either underground or overhead.

PLEASE TAKE NOTICE that comments are invited on the Amendment Petition and are requested by **March 10, 2023**. Comments should refer to "Case 21-E-0122 - East River ESS Amendment" and be submitted by e-filing through the Department's Document Matter and Management System (DMM).¹ Persons who are

¹ To e-file in DMM, go to <https://dps.ny.gov/dmm-login-document-and-matter-management-system>.

unable to file electronically may mail their comments to the Hon. Michelle L. Phillips, Secretary, Three Empire State Plaza, Albany, New York 12223-1350.² All comments submitted to the Secretary will be posted on the Commission's website and become an official part of the case record.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

² Filing electronically is strongly encouraged.