

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 24-E-0643 - Petition of Buffalo Urban Development Corporation and NorDel II, LLC for a Declaratory Ruling or, in the Alternative, Approval of a Certificate of Public Convenience and an Order Providing for Incidental Regulation.

NOTICE REQUESTING COMMENTS AND ANNOUNCING  
PUBLIC STATEMENT HEARING AND PROCEDURAL CONFERENCE

(Issued February 14, 2025)

Comments are requested concerning a petition filed by Buffalo Urban Development Corporation and NorDel II, LLC (Petitioners), seeking a declaratory ruling that Petitioners are not an electric corporation subject to regulation pursuant to Section 2(13) of the Public Service Law (PSL). In the alternative, Petitioners seek lightened regulation under Section 66(13) of the PSL, as well as a Certificate of Public Convenience and Necessity under Section 68 of the PSL. Petitioners own and operate an electric distribution substation on their property at 644 Northland Avenue as part of the Northland Corridor Redevelopment Project in Buffalo, New York. Petitioners seek to increase the capacity of the substation from 2.5 to 7 megawatts and use the substation to provide power to other adjacent or nearby properties that are owned by subsidiaries of Petitioner Buffalo Urban Development Corporation and are part of the redevelopment project.

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

**DATE:** Tuesday, March 4, 2025  
**TIME:** 1:00 p.m.

**Electronic Access:** meetny-gov.webex.com  
**Event Number:** 2825 591 1980  
**Password:** Mar4-1pm

**Phone-Only Access:** 929-251-9612  
**Access Code:** 2825 591 1980  
**Password:** 62740176

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.

**To participate electronically:**

This option is for participants who would like to make a statement and who will log in to the hearing electronically. Such participants may log in at the date and time indicated above by visiting [meetny-gov.webex.com](https://meetny-gov.webex.com), clicking "Join a Meeting" at the top right-hand corner of the screen, entering the event number and password listed above, clicking "Join Meeting" and providing all requested information.

When logging in on the date and time of the hearing, 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 that participants enter their phone numbers.

**To participate by phone:**

This option is for participants who would like to make a statement and who will participate by telephone only. On the date and time of the hearing, call-in participants should dial **+1-929-251-9612** United States Toll (New York City) and enter the access code and phone-in password listed above.

**To listen to the hearing without making a statement:**

Any interested person may listen to the public statement hearing by phone by calling **+1-929-251-9612** United States Toll (New York City) and entering the access code and phone-in password listed above.

All participants will be muted upon entry into the public statement hearing. The ALJ will call upon each person who asks to make a statement. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Reasonable 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 public statement hearing will be made for inclusion in the record of this case.

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 comment at the public statement hearing, there are several other ways to provide your comments. All comments should refer to "Case 24-E-0643" and must **be submitted no later than March 7, 2025.**

**Internet or Mail:** Go to [www.dps.ny.gov](http://www.dps.ny.gov), click on "File Search" (located under the heading "Commission Files"), enter "24-E-0643" in the "Search by Case Number" box, and then click on "Post Comments" at the top 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.<sup>1</sup>

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 number, 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 number is set up to receive in-State calls 24 hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

**PLEASE TAKE FURTHER NOTICE** that a virtual procedural conference will be held immediately following the public statement hearing, as part of the same teleconference.

The principal purposes of the procedural conference are to identify any potential parties and provide interested persons an opportunity to present and explain any proposals regarding the procedures they believe should be followed in this case by the ALJ and Commission including, but not limited to, whether any issues of fact presented by the petition or public comments warrant an evidentiary hearing. Other procedural issues also may be addressed.

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary

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<sup>1</sup> Filing electronically is strongly encouraged.