STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held in the City of New York on November 19, 2026

COMMISSIONERS PRESENT:

Rory M. Christian, Chair
James S. Alesi
David J. Valesky
John B. Maggiore
Uchenna S. Bright
Denise M. Sheehan
Radina R. Valova

CASE 24-T-0446 - Petition of New York Transco LLC and New York Power Authority for a Certificate of Environmental Compatibility and Public Need, Pursuant to Article VII of the New York Public Service Law, to Construct, Operate, and Maintain an Approximately 89.7-Mile Underground Transmission Line through Suffolk, Nassau, Queens, Bronx, and Westchester Counties.

ORDER APPROVING ENVIRONMENTAL MANAGEMENT AND CONSTRUCTION PLAN PHASE 2 SUBJECT TO CONDITIONS

(Issued and Effective November 20, 2026)

BY THE COMMISSION:

INTRODUCTION

On September 17, 2026, the Public Service Commission (Commission) issued a Certificate of Environmental Compatibility and Public Need (Certificate) to New York Transco LLC and New York Power Authority (together, Certificate Holder or Propel).[1] The Certificate authorizes the construction, operation, and maintenance of approximately 90 miles of new underground

[1] Case 24-T-0446, Order Adopting the Terms of a Joint Proposal (issued September 17, 2026) (Certificate Order).

electric transmission lines at both 138 and 345 kilovolts (kV) extending through Suffolk, Nassau, Queens, The Bronx, and Westchester Counties, and connects to nine existing or new substations (Project or Propel Project). The Project is needed to maintain sufficient system margins, to maintain reliability and will increase bulk transmission capability between Long Island and the rest of the State.[2] Furthermore, as concluded by the Commission, "[t]he proposed transmission project satisfies a public need and avoids or minimizes significant adverse impacts to the extent practicable given the state of available technology, the nature and economics of various alternatives, and all other pertinent considerations."[3]

The Certificate Order contains several specifications and requirements for the development and submission of Environmental Management and Construction Plans (EM&CP). The EM&CPs must detail the Project's design, construction, and maintenance plans, and environmental controls in accordance with Appendix E (EM&CP Specifications) to the Certificate. The certificate conditions in Appendix D (Certificate Conditions) to the Certificate include requirements for the content of the EM&CPs.

The Certificate provides flexibility for the Certificate Holder to develop the Facility in phases to facilitate construction sequencing and scheduling. Thus, as proposed and subsequently authorized by the Commission, the Project is divided into several overland and marine segments which will be contained in separate design packages in the EM&CP filings. The anticipated phases of the EM&CP were described in Appendix C to the Certificate.

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[2] Certificate Order, p. 18.

[3] Certificate Order, p. 2; see also, pp. 23 and 51.

Propel filed its proposed EM&CP Phase 2 on July 10, 2026, and supplemented it on October 16, 2026. By this Order, the EM&CP Phase 2 is approved, subject to the conditions below.

BACKGROUND

On April 30, 2026, Propel filed the Joint Proposal signed by the signatory parties.[4] On September 17, 2026, the Commission granted the Certificate, adopting the terms of the Joint Proposal. On July 10, 2026, Propel filed its EM&CP Phase 2. Subsequently, Propel filed a supplement to EM&CP Phase 2 on October 16, 2026.

EM&CP Phase 2 construction activities will be limited to the Project area and include laydown yards, construction staging areas, and access roads; and such activities are subject to any permanent and/or temporary easements, crossing agreements, leases, licenses, Right of Way agreements, other land use authorizations, or permits. EM&CP Phase 2 addresses the Segment 6 (Shore Road to Sprain Brook) submarine horizontal directional drilling (HDDs) for conduit from the Shore Road Landfall in the Town of Oyster Bay, Nassau County, to the Hempstead Harbor exit point and from the Hudson Park and Beach Landfall in the City of New Rochelle, Westchester County, to the exit point in Long Island Sound east of Echo Bay, and the related conductor casing fusing, float out, and pull-in. EM&CP Phase 2 will include a total of eight conduits that will be installed using the trenchless HDD method: four will be installed from the Shore Road Landfall in the Town of Oyster

[4] Signatory parties include New York Transco LLC and New York Power Authority, New York State (NYS) Department of Public Service, NYS Department of Environmental Conservation, NYS Department of State, NYS Department of Transportation, NYS Department of Agriculture, City of New York, Long Island Commercial Fishing Association, and Ms. Cecilia McCann.

Bay, and four will be installed from the Hudson Park and Beach site in the City of New Rochelle, Westchester County. The submarine cables will not be installed as part of EM&CP Phase 2. Such installation activities will be included in subsequent EM&CP phase(s).

The Certificate Holder will conduct the Shore Road HDD operations on a parking lot owned by National Grid located at 400 Shore Road, in Glenwood Landing, Nassau County (the Shore Road Landfall). From that location, utilizing HDD equipment, Propel will perform a series of pre-drilling, reaming, and drilling activities, in preparation of the conduit pulling operation (as described below), which will ultimately encase the electric cables. Propel will install four separate conduits and extend them west approximately 1,520 feet, before exiting in Hempstead Harbor at around 16 feet below the water's surface. The exit workspace in Hempstead Harbor, including the vessel footprint, is approximately 2.8 acres.

The Certificate Holder will place four underground landfall transition joint vaults, which will occupy an approximately 1.07-acre area beneath a portion of National Grid's parking lot, adjacent to the new Shore Road Substation (to be constructed in subsequent EM&CP phase(s)). Upon completion of all construction at this location, the installation will be entirely underground and the Certificate Holder will fully restore the parking lot.

The Certificate Holder will use an approximately 3.92-acre area at 200 Shore Road in Glenwood Landing as the marine trenchless HDD conduit laydown area and for conduit fusion operations. Propel will fuse individual conduit sections into 500-foot strings at this location. Propel will launch these larger conduit sections into Hempstead Harbor toward a spud barge positioned at the bore exit zone. The Certificate Holder

will complete the final three fusion welds joining the section into a continuous conduit string on the spud barge deck, which the Certificate Holder can then place into the water and align with the bore exit point. Finally, the Certificate Holder will connect the joined conduit segment to the drill string and pull it through the HDD bore. Propel will repeat this process four times to install the four separate conduits that will ultimately house the electric cables.

The other landfall is located in Hudson Park and Beach within the City of New Rochelle, Westchester County. To minimize community impacts in the park, it is anticipated that Propel will conduct HDD activities from this location over two winter seasons when the park's use is lowest. After each winter season, the Certificate Holder will restore the parking lot of Hudson Park and Beach, thereby allowing public use during peak months. The Certificate Holder will install two underground gas-insulated transition bus vaults beneath a portion of the parking lot during subsequent EM&CP phase(s). From here, the Certificate Holder will install four conduits that will extend underground toward the southeast for approximately 2,450 feet, before exiting in Long Island Sound.

Propel will perform the conduit fusion for the Hudson Park and Beach HDD operations at either the 200 Shore Road laydown yard or in-water on a spud barge. If conduit fusion occurs at 200 Shore Road, the Certificate Holder will follow the steps described above related to the Shore Road HDD stringing. Alternatively, if Propel performs in-water fusion, then Propel will deliver smaller conduit sections to a marine transfer point near New Rochelle, and then to the spud barge positioned at the bore exit zone in the Long Island Sound. The smaller sections will then be fused together on the spud barge into approximately 500-foot strings and eventually joined by midline fusion into a

single continuous conduit of approximately 2,500 feet in length. Once Propel assembles and pays out the entire string, Propel will attach it to the drill string at the bore hole and pull it back through the HDD bore.

PUBLIC NOTICE

Propel filed its proposed EM&CP Phase 2 on July 10, 2026, and provided a supplemental filing on October 16, 2026. In accordance with Certificate Conditions 32 and 33, public notice of the EM&CP filing for review and comment was served on each party on the service list and on landowners and/or residents of property crossed by, or abutting, the impacted portion of the Project corridor. The Certificate Holder also provided both hard and electronic copies to various parties and other entities, as described pursuant to Certificate Condition 32. As further required by Certificate Conditions 33 and 34, the Certificate Holder published notice in local newspapers of general circulation. In accordance with Certificate Condition 35, on July 15, 2026, the Certificate Holder filed affidavits of service and proof of publication. In addition, the Certificate Holder posted the EM&CP Phase 2 materials on its Project website.

On September 17, 2026, the Commission issued the Certificate Order. The Certificate Order discussed the various requests for clarification, motions, and other requests regarding the applicable deadlines to file comments to the Certificate Holder's EM&CP Phase 1 and 2.[5] In the Certificate Order, the Commission clarified, for consideration of all EM&CP comments to date, that an additional amount of time to file comments regarding the EM&CPs was reasonable to address the

[5] Certificate Order, pp. 45-51.

confusion raised by certain parties. As such and in consideration of requests for clarification on the timing of filing of an EM&CP relevant to certification of a project, the Commission extended the comment period for Phase 2 until October 1, 2026. Commensurately with the issuance of the Certificate Order, the Secretary to the Commission issued a Notice Requesting Comments on Phase 1 and Phase 2 Environmental Management and Construction Plans.[6]

Throughout the pendency of this proceeding over 2,100 comments have been filed. Over 650 comments and other filings have been made since the initial filing of the EM&CP Phase 2 on July 10, 2026. Many of the comments are pertinent to EM&CP Phase 2 and are addressed in this Order. In addition, multiple comments relate to Article VII process, general procedure(s), the Certificate, or otherwise specifically address anticipated construction covered in EM&CP phases other than EM&CP Phase 2.

The Commission thoroughly reviewed the submitted comments, and specific comments relating to EM&CP Phase 2 are addressed below. Any comments, or portions thereof, submitted that are pertinent to future EM&CP phases will not be addressed in this Order.

Department of Public Service staff (DPS staff) and the Department of Environmental Conservation (NYSDEC) provided informal comments and recommendations and took part in technical meetings with the Certificate Holders.[7]

PUBLIC COMMENTS AND RESPONSES

[6] Case 24-T-0446, Notice Requesting Comments on Phase 1 and Phase 2 Environmental Management and Construction Plans (issued September 17, 2026).

[7] See, e.g., Certificate Conditions 48, 50, 199.

The Certificate Order established the 30-day EM&CP comment period for each EM&CP Phase. Additionally, commensurately with the issuance of the Certificate Order, the Secretary to the Commission issued a Notice Requesting Comments on Phase 1 and Phase 2 Environmental Management and Construction Plans, extending the comment period for EM&CP Phases 1 and 2 until October 1, 2026. However, the public may file comments any time during the construction or operation phase of the Project, and if warranted the Commission will appropriately consider concerns related to the EM&CP, construction, and operation of the Project.

The Village of Sea Cliff (Village), the Coalition to Save Hempstead Harbor (CSHH), and the Hempstead Harbor Protection Committee (HHPC) filed comments regarding EM&CP Phase 2. Numerous individuals including Doug Augenthaler and Christine Panzeca (jointly, Augenthaler and Panzeca), Joan Matthews, and Dan McAree also filed comments. Several of these commenters filed multiple comments in response to the Certificate Holder's revisions to the EM&CP Phase 2.

Comments raise concerns regarding the appropriateness of certain EM&CP filings and various general topics therein, such as, the Anchoring Plan (EM&CP Phase 2 Appendix S-2); the Benthic Sampling Plan (EM&CP Phase 2 Appendix AB); noise complaint handling through the Complaint Management and Resolution Plan (EM&CP Phase 2 Appendix N); the Construction Noise Control Plan (EM&CP Phase 2 Appendix M-2); the Dewatering Plan (EM&CP Phase 2 Appendix U-2); the Environmental Compliance Plan (EM&CP Phase 2 Appendix D); the Fisheries Compensation Plan; the Fugitive Dust Plan (EM&CP Phase 2 Appendix I-2); the Hard Clam Minimization Plan for Submarine HDD Installations (EM&CP Phase 2 Appendix AC-2); HDD Workplan (EM&CP Phase 2 Appendix R-2); the Invasive Species Control and Management Plan

(EM&CP Phase 2 Appendix L-2); Quality Control Plan (EM&CP Phase 2 Appendix E); the Lighting Plan (EM&CP Phase 2 Appendix AE-2); Maintenance and Protection of Traffic Plan (EM&CP Phase 2 Appendix X-2); Mariner Notification and Public Input Process Plan (EM&CP Phase 2 Appendix Z); Materials Management Plan (EM&CP Phase 2 Appendix T-2); Spill Prevention, Control, and Countermeasure Plan (EM&CP Phase 2 Appendix G-2); the Permits and Agency Correspondence Plan (EM&CP Phase 2 Appendix C-2); Plans and Profiles (EM&CP Phase 2 Appendix P-2); Site Plans and Construction Drawings (EM&CP Phase 2 Appendix Q-2); Stormwater Pollution Prevention Plan (SWPPP) (EM&CP Phase 2 Appendix H-2); the Suspended Sediment and Water Quality Monitoring Plan for Submarine HDD Installation (EM&CP Phase 2 Appendix AA-2); and the Winter Monitoring and Minimization Plan for Submarine HDD Installation (EM&CP Phase 2 Appendix AD-2). Comments also raised concerns regarding the general impacts to hard clams, oysters, and more specifically included a report entitled "Shellfish Restoration Requirements for Hempstead Harbor Associated with Propel NY Energy Project" prepared by Cashin Associates, P.C. Additional comments raised concerns related to stop work authority; emergency response planning with affected agencies; the presence of Electromagnetic Fields (EMFs); underwater property rights, conflict with United States Coast Guard Aids to Navigation; and incomplete wildlife species listings.

Many of the concerns raised by the public did not require modifications to the above cited plans and other materials filed as EM&CP Phase 2. To document and organize public comments, the Certificate Holder filed a Response Matrix on October 16, 2026 (Response Matrix).[8] This document outlines

[8] Case 24-T-0446, EM&CP Phase 2 Public Comment Responses (filed October 16, 2026).

specific responses to comments, which includes additional information provided by the Certificate Holders on certain topics of concern, citations to or where information can be found in in Propel's filings, clarification explaining how submitted material addresses each public comment(s), explanations on how Propel will comply with certificate conditions related to the subject matter, and discussion of requirements tied to upcoming work that is not covered by EM&CP Phase 2, but will be covered in future EM&CP filings.

On October 16, 2026, in response to DPS staff and NYSDEC comments, as well as public comments, Propel provided supplemental and updated filings of the EM&CP Phase 2 Narrative and the following EM&CP Phase 2 appendices:

Appendix	Name
F-2	Construction and Safety Policies and Procedures
G-2	Spill Prevention, Control, and Countermeasure Plan
I-2	Fugitive Dust Plan
L-2	Invasive Species Control and Management Plan
M-2	Construction Noise Control Plan
O	Terrestrial Unanticipated Discovery Plan
P-2	Plans and Profiles
Q-2	Site Plans and Construction Drawings
R-2	HDD Workplan
S-2	Anchoring Plan
T-2	Material Management Plan
Z	Mariner Notification and Public Input Plan
AA-2	Suspended Sediment and Water Quality Monitoring Plan
AC-2	Hard Clam Impact Minimization Plan
AD-2	Winter Flounder Monitoring and Minimization Plan
AE-2	Lighting Plan
AP-2	Atlantic and Shortnose Sturgeon Net Conservation Benefit Plan

In addition, the Certificate Holder updated the following "universal" appendices that apply to multiple EM&CP phases: Sample Forms (Appendix B), Environmental Control Plan (Appendix D), Quality Control Plan (Appendix E), Wetland Delineation Report (Appendix J), and Complaint Management and Resolution Plan (Appendix N). Many of the updates to these appendices address typographical errors or resolve minor inconsistencies or references between documents.

Most of the comments were adequately addressed either in the October 16, 2026 supplement to EM&CP Phase 2 and as

described in the EM&CP Phase 2 Response Matrix. We find that the Propel EM&CP Phase 2 Response Matrix addressed the public comments identified therein and we incorporate those responses here by reference. Additionally, supplemental comments filed after the submission of Propel's EM&CP Phase 2 Response Matrix which raised issues that were already addressed in that document will not be addressed here. Comments outside the scope of the Public Service Law, or the Certificate, were not considered. Comments that did not pertain to EM&CP Phase 2 are not addressed by this Order. Comments that the Commission determined warrant additional consideration and explanation are broken down by topic below.

COMMENTS OBJECTING TO CERTIFICATE ORDER

Between October 16, 2026, and October 19, 2026, multiple parties to this proceeding, including the Village of Sea Cliff, the North Shore Central School District, Roslyn Union Free School District, Syosset Central School District, Iroquois Gas Transmission System L.P., the Self Consolidated Parties, and other individuals, filed Petitions for Rehearing of the Commission's Certificate Order. Many of the comments submitted regarding the EM&CP Phase 2 are critical of the Certificate Order, the requirements therein, and reiterate various arguments in parties' Petitions for Rehearing. The Secretary issued a Notice allowing for responses to those Petitions by November 19, 2026. These comments are not addressed in this Order.

SITE MANAGEMENT PLAN - SEDIMENT CONTROL, WATER QUALITY, AND HDD FLUIDS

Multiple commenters raised concerns regarding turbidity, sediment control, and drilling fluid losses. The commenters argue that there are insufficient protections

regarding potential impacts to wetlands and other bodies of water. Pursuant to Certificate Condition 192, the Certificate Holder must comply with its Water Quality Certification issued pursuant to Section 401 of the Federal Clean Water Act (WQC). The Certificate Holder must also comply with the water quality protections and standards in the Certificate, as well as State substantive law.

CSHH and Augenthaler and Panzeca commented that the additives in HDD drilling fluid require additional study to address the environmental effects of such additives.[9] The Certificate does not stipulate additional study into every additive of HDD drilling fluid. Furthermore, the Certificate Holder provided product sheets and safety data sheets on all HDD drilling fluid additives, and addressed any concerns about terrestrial spills with adequate chemical storage plans.[10]

Multiple commenters claimed that the presence and daily inspections of an independent environmental monitor at the HDD entry sites is insufficient.[11] Instead, they request that the environmental monitor should be present at the HDD entry and exit points. As the Certificate Holder points out, Certificate Condition 116 requires an independent environmental monitor on site during all construction activities, and a full-time construction supervisor for oversight.[12] The Commission also notes that DPS staff routinely inspect construction sites and observe construction, and DPS is among the entities with stop

[9] CSHH Comments (filed August 8, 2026); Augenthaler and Panzeca Comments (filed October 30, 2026).

[10] Appendix R-2 (filed October 16, 2026).

[11] CSHH Comments; Joan Matthews Comment (filed October 2, 2026); Dan McAree Comment (filed October 1, 2026).

[12] Response Matrix, p. 4.

work authority, thereby offering an additional layer of oversight.

CSHH, the Village, Dan McAree, Augenthaler and Panzeca, and HHPC raised concerns about drilling continuing when there are drilling fluid losses, as well as preventing and containing drilling fluid releases.[13] The EM&CP Phase 2 Narrative and the updated HDD Workplan adequately address these concerns.[14] Specifically, the HDD Workplan provides proactive methodologies – a forward reaming approach, earth plug retention, and clean water bore flush – to prevent drilling fluid releases. As needed, a gravity cell will be deployed for further containment. If the Certificate Holder violates any provisions of the Certificate, its WQC, or any other applicable state or federal law or regulation, it will be liable to enforcement action.

In addition, the Village, HHPC, Dan McAree, and Joan Matthews claim that there must be an immediate stoppage of work if there is a drilling fluid release.[15] The EM&CP Phase 2 Water Quality Management Plan (EM&CP Phase 2 Appendix AA-2) complies with Certificate Condition 189, allowing the Certificate Holder to take adaptive measures to bring any exceedances into compliance with water quality standards without suspending the relevant activities. Furthermore, pursuant to Certificate Conditions 119 and 123, the Environmental Monitor and representatives of any State Agency, municipality, or other

[13] CSHH Comments (filed August 8, 2026); Village Comments (filed October 1, 2026); Augenthaler and Panzeca Comments (filed October 1, 2026); HHPC Comments (filed August 4, 2026).

[14] EM&CP Phase 2 Narrative (filed October 16, 2026); Appendix R-2 (filed October 16, 2026); see also, Response Matrix, pp. 3, 6.

[15] HHPC Comments (filed August 4, 2026); Village Comments (filed October 27, 2026); Dan McAree Comments (filed October 1, 2026); Joan Matthews Comments (filed October 2, 2026).

permitting entity with stop work authority, may enforce such authority over aspects of the Project that may violate the Certificate, EM&CP, WQC, or any other applicable law or regulation.

Finally, the Village and Augenthaler and Panzeca argue that there must be continuous monitoring of water quality, including monitoring of each borehole and sediment resuspension and post-construction impacts.[16] The Village also claims that EM&CP Phase 2 Appendices AA-2, AD-2, AC-2 do not adequately identify whether water quality monitoring will occur if the Certificate Holder does not deploy gravity cells.[17] The Certificate Holder stated that additional monitoring is not needed because sediment samples near the HDD exit locations did not pose acute risk to marine life.[18] Furthermore, the Certificate does not require water quality monitoring for minimally disruptive activities that result in minor disturbance of sediments but are not anticipated to have a significant adverse impact on suspended sediment concentrations and water quality, including at HDD boreholes.[19]

MITIGATION

Multiple commenters claimed that the EM&CP Phase 2 monitoring, protection, and mitigation plans for certain species contemplated in the Certificate are inadequate.[20] Additionally,

[16] Village Comments (filed October 1, 2026); Village Comments (filed October 27, 2026); Augenthaler and Panzeca (filed October 1, 2026).

[17] Village Comments (filed October 27, 2026).

[18] Response Matrix, p. 12.

[19] Certificate Condition 176(a).

[20] Relevant species to in-water work include hard clams, winter flounder, and Atlantic and shortnose sturgeon.

multiple commenters claimed that there are no protections for oysters in the filed EM&CP Phase 2. Many of these commenters rely upon a report prepared by Cashin Associates, P.C., and filed by the Village of Sea Cliff on September 30, 2026.

As indicated by Propel, there will be a limited footprint related to EM&CP Phase 2 marine work. Therefore, such work is not anticipated to result in measurable impacts to hard clam populations in Hempstead Harbor.[21] The anticipated scope of work for EM&CP Phase 2 is confined to a specific geographic area, as confirmed by the maps and diagrams provided by the Certificate Holder. We concur with the Certificate Holder that the impacts to hard clam populations and other marine life, including oysters, will be limited based on the location and type of work to be performed as described in EM&CP Phase 2. Ultimately, projected impacts and mitigation will be assessed on a Project-wide basis and included in the EM&CP Phase 5 filing.

Other Topics

The Village claimed that the EM&CP Phase 2 does not identify or rectify the property interests for underwater parcels in the Hempstead Harbor, and that the Certificate Holder needs to accommodate all lawful existing property rights.[22] The Certificate Holder stated, the New York State Office of General Services already identified all relevant property rights in Hempstead Harbor, and real property rights outside the Project corridor are not germane to this proceeding. Furthermore, it is the Certificate Holder's responsibility to ensure that it has

[21] Response Matrix, Responses 15 and 16.

[22] Village Comments (filed October 1, 2026); Village Comments (filed October 27, 2026).

all relevant property rights to construct and operate the Project.[23]

The Village, Dan McAree, and Augenthaler and Panzeca asserted that the Certificate Holder lacks protocols for emergency response organizations, marine organizations, and other relevant agencies and entities, as well as emergency vehicle access.[24] The Certificate Holder stated, in response, that the Maintenance and Protection of Traffic Plan and the Mariner Notification and Public Input Process Plan sufficiently address these commenters' concerns.[25] Furthermore, Certificate Conditions 22 and 23 require the Certificate Holder to offer periodic and requested trainings for local fire departments, and coordinate with the United States Coast Guard, local municipal harbormasters, bay constables, harbor patrols, and marine police to respond to emergency events. Certificate Condition 95 also requires the Certificate Holder to conduct periodic consultations with the Town of Oyster Bay, in which the Village of Sea Cliff is located, to coordinate regarding traffic and emergency vehicle access. Additionally, Certificate Condition 102 requires similar coordination with the Town of Oyster Bay and relevant municipal highway departments regarding the Highway Workplan for any activities within highway right of way.[26]

Augenthaler and Panzeca claimed that the Construction Noise Control Plan incorrectly assumes that a sound wall is a sufficient and demonstrated measure to limit sound produced at

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[23] Certificate Condition 13; Response Matrix, pp. 12-13.

[24] Village Comments (filed October 1, 2026); McAree Comments (filed October 1, 2026); Augenthaler and Panzeca Comments (filed August 11, 2026); Augenthaler and Panzeca Comments (filed October 30, 2026).

[25] Appendix X-2; Appendix Z; Response Matrix, pp. 4, 7-8.

[26] Response Matrix, pp. 2-3.

night, and proposes additional limitations on nighttime noise.[27] The Commission finds that the Construction Noise Control Plan complies with the requirements of Certificate, the computer noise model is appropriate, and the construction noise impacts will be mitigated with the wall proposed by the Certificate Holder.

The Village and Augenthaler and Panzeca claim that the EM&CP Phase 2 does not adequately protect or monitor drinking water supplies, protect well heads, or coordinate with water supply agencies.[28] Certificate Holder asserts that the activities of EM&CP Phase 2 will be conducted in a closed loop system and, therefore, no dewatering is anticipated. The Dewatering Plan included in EM&CP Phase 2 indicates that prior to any unanticipated dewatering, Propel would conduct such activities in compliance with all applicable Certificate Conditions and State law. The Certificate Holder must obtain and comply with any State pollutant discharge elimination system permit. The Certificate Holder must provide a dewatering plan and notify each municipality where the Certificate Holder proposes to discharge.[29] This, as well as protections in Certificate Conditions 46 and 47, adequately protect groundwater in the relevant construction areas.

Augenthaler and Panzeca claimed that the Certificate Holder failed to comply with the Certificate Conditions because the EM&CP Phase 2 supplement documents were not provided to the Gold Coast Public Library.[30] The Certificate Conditions do not

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[27] Augenthaler and Panzeca Comments (filed October 30, 2026).

[28] Village Comments (filed October 1, 2026); Augenthaler and Panzeca Comments (filed August 11, 2026); Augenthaler and Panzeca Comments (filed October 30, 2026).

[29] Certificate Condition 48.

[30] Augenthaler & Panzeca October Comments.

require the Certificate Holder to resubmit the EM&CP filings to the public repositories after every individual supplement. Furthermore, the filing was available within the relevant municipality at the Oyster Bay Town Hall, and the Certificate Holder provided public notice of the filings and updates in accordance with the Certificate. The EM&CP Phase 2 supplement was simultaneously served on all parties, including the Village and Dan McAree, and were filed with the Secretary and posted publicly on the Department's Document Matter Management (DMM) site, consistent with the applicable Certificate Condition.[31] Additionally, comments on subsequent revisions to the EM&CP, in response to aforementioned written comments, were considered after the October 16 filing consistent with Certificate Condition 34.

The Commission finds that Propel has satisfactorily addressed public comments relevant to the EM&CP Phase 2, including those addressed in the EM&CP Phase 2 Response Matrix and those which required updated material of EM&CP Phase 2 in the Certificate Holder's supplemental filing on October 16, 2026. Therefore, the public comments related to EM&CP Phase 2 have been satisfied through the supplemental filings and the responses included in Propel's EM&CP Phase 2 Response Matrix.

DPS STAFF AND NYSDEC

DPS staff reviewed EM&CP Phase 2 and provided informal comments, participated in technical meetings, and provided recommendations to the Certificate Holders and their consultants. DPS staff suggested revisions to the design plans and other parts of the EM&CP, including but not limited to the following topics: Atlantic and shortnose Sturgeon Net

[31] Certificate Condition 33.

Conservation Benefit Plan (Appendix AP-2); correspondence with the United States Coast Guard and notification to fishing license holders (Appendix C-2); storage setbacks and buffers (Appendix G-2); the use of additives for dust suppressants (Appendix I-2); noise mitigation (Appendix M-2); confirming details of the HDD Workplan (Appendix R-2); and traffic protections (Appendix X-2).

The Commission is advised that DPS staff's recommendations were adequately addressed and resolved in the revised EM&CP Phase 2 filed on October 16, 2026.

NYSDEC provided informal comments to the Certificate Holder regarding the Materials Management Plan (Appendix T-2), the Spill Prevention, Control, and Countermeasure Plan (Appendix G-2); information regarding dewatering and water and sediment quality; site restoration; the Suspended Sediment and Water Quality Monitoring Plan (Appendix AA-2); and the Hard Clam Impact Minimization Plan (Appendix AC-2). NYSDEC advised DPS staff that its comments have been addressed.

DISCUSSION AND CONCLUSION

As stated in the Certificate Order, it is standard process in siting proceedings for the Commission to impose Certificate Conditions requiring the development of EM&CP for its review and approval.[32] The proposed Certificate Conditions and EM&CP specifications also adequately ensure that affected stakeholders and members of the public will have ample opportunity for involvement and comment throughout the EM&CP process prior to any Commission consideration of the EM&CPs.[33]

[32] Certificate Order, pp. 16-17, citing, e.g., Case 12-T-0158 (formerly Case 26251), National Grid - Amendments to CECPN, Order Granting Amendments (issued April 26, 2012), pp. 4-5.

[33] Certificate Order, p. 17.

The Commission finds that the EM&CP Phase 2, as filed and supplemented, complies with the applicable Certificate Conditions and adheres to the EM&CP Specifications included as Appendix D and Appendix E to the Certificate, respectively. Upon review, the Commission finds that the Certificate Holder has adequately addressed the concerns raised by DPS staff, NYSDEC, and public commenters. Based upon a review of all the documents submitted, responses received, and supplemental filings made by the Certificate Holder, the EM&CP Phase 2 for the Propel Project, as filed and supplemented, is approved subject to the conditions below.

The Commission orders:

1. The Environmental Management and Construction Plan for Phase 2 of the Propel Project, filed jointly by New York Transco, LLC, and the New York Power Authority (Certificate Holder), on July 10, 2026, and supplemented on October 16, 2026, is approved subject to the following conditions.

2. Certificate Holder's filed responses to the EM&CP comments are adopted as a supplement to the EM&CP, and the Certificate Holder shall be bound by the statements and commitments contained therein.

3. In accordance with Certificate Condition 2(f), the Certificate Holder shall not commence construction until it has received a "Notice to Proceed with Construction" letter issued by the Executive Director of the Office of Renewable Energy Siting and Electric Transmission, or their designee.

4. This proceeding is continued.

By the Commission,

(SIGNED) MICHELLE L. PHILLIPS
Secretary