

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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C. 99-F-1627
corresp.

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October 30, 2000

Ellen P. Koivisto
Licensing Manager
New York Power Authority
123 Main Street
White Plains, New York 10601

Re: Case 99-F-1627 – In the Matter of the Application of the New York Power Authority for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 500 Megawatt, Combined Cycle, Combustion Turbine Electric Generating Facility at its Existing Charles Poletti Power Project in Astoria, Borough of Queens.

Dear Ms. Koivisto:

Department of Public Service Staff (Staff) has reviewed the Public Involvement Program (PIP) submitted by New York Power Authority (NYPA) in Section 2.0 of the Article X Application filed on August 18, 2000. While Staff acknowledges that NYPA has made an extensive effort to address community concerns, Staff would like to ask for some clarification of information presented and to offer some suggestions for the future.

2.0 Public Involvement Program

- NYPA provides an overall description of the PIP and the proposed project to date. What are NYPA's PIP goals for the future and how will those goals be achieved?

2.1 Planning Phase

- One of the PIP resources is a color brochure that describes the project, "NYPA and Queens, The Power of Partnerships." How will this brochure/fact sheet be used in the future? Is it presently available at any drop sites, such as libraries, community or senior centers, etc.? How effective was the use of the brochure in the pre-application phase?

2.2 Pre-Application Phase

2.2.1 Outreach Effort

- In this section, NYPA provides a long list of briefings held to inform community leaders about the project. Please provide more information about the August 22, and September 28, 1999, meetings with community leaders, including whom was invited, who attended, and what was discussed.
- Please explain NYPA's immediate and future plans to address civic, fraternal, and service organization meetings. Aside from NYPA's existing network in the community, what other methods are being used to publicize NYPA's availability for speaking engagements on the Poletti project?
- While NYPA has documented the use of paid advertisements to publicize its project and meetings, there is no mention of the use of direct mail notification with near-in neighbors, community groups, business leaders, and elected officials. Has direct mail notification been used to invite stakeholders to PIP activities, etc.?

2.2.2 Issues Raised During the Pre-Application Phase

- This section provides detailed summaries of various meetings that NYPA either sponsored or attended, as well as a list of many issues raised. Please explain how NYPA is addressing these issues, in particular to the concerns about air quality.
- Aside from incorporating the issues raised to date in the Application, please explain how NYPA will report back to the public about the issues raised and the actions that NYPA may be taking to address the issues.

2.2.3 Additional Outreach/Resources

- NYPA mentions the fact sheet that was produced and mailed to 145 individuals on the project's mailing list. Please clarify whether these individuals are representative of the entire affected area and whether this was the only mailing of this fact sheet. Was the fact sheet made available at meetings and on the Website? Staff suggests that the project mailing list should be expanded beyond 150 – 300 and should especially include immediate near-in neighbors to the Poletti facility.
- Staff understands that there is (or will be) a periodic "newsletter" dedicated to the Poletti project, which is a separate resource from the "fact sheet" that NYPA developed and included in Appendix 2A of the Application. However, copies of the

newsletter are not included in the Application. When will the newsletter be developed? Will it be routinely posted on the project's Website and distributed to its mailing list? What other means will be used to distribute it to the community? Has NYPA considered distributing it outside of Astoria/Queens to community leaders or elected officials in Bronx and Manhattan or making copies available for pickup at drop spots, such as libraries, senior centers, multi-family housing, grocery stores, etc. in the project area?

- NYPA states that few calls have been received on the toll-free telephone line. How has NYPA publicized the availability of its toll-free number?
- The Website provides an overview and description of the project and various updates and information about NYPA. Staff also notes the use of the media to publicize the site. Were outlets other than the media used to publicize its availability?
- While it is mentioned that names have been added to the mailing list from the web, there is no indication that any comments have been received electronically. If comments have been received, how has NYPA responded to these communications?
- What are NYPA's ongoing plans to publicize the toll-free telephone number, website, and newsletter?

2.3 Study and Application Preparation Phase

- There does not appear to be any mention of how NYPA plans to evaluate its PIP. Please demonstrate how NYPA will evaluate the effectiveness of its public involvement message based on the public's awareness of the project and its status.

2.3.1 Outreach Effort

- Out of a list of nine meetings, three were open to the general public. Please explain how these three meetings were publicized. Does NYPA publicize the speaking engagements/presentations it makes to Community Boards, civic groups, community organizations, and/or local government? If so, how? Outreach meetings were held in the Bronx. Were similar meetings held in Manhattan? If so, please provide a list of dates and times.
- Staff understands that NYPA has placed its Application in four libraries. While it is on file in a Manhattan and Bronx library, Staff urges that it also be made available in Queens, at five or six libraries, in addition to the Queens Public library at which it now available.
- In addition to the legal notification required by Article X, how has NYPA publicized the availability of its Application for review at libraries?
- Please keep Staff informed of all public meetings being planned, on an ongoing basis. Is a public meeting planned to update the public on the filing of the Application and the status of the project?

2.3.2 Additional Issues Raised During the Pre-Application Phase

- This section describes additional meetings with the Queens Borough President, Congressman Joseph Crowley, etc., held to date during 2000, along with comments and concerns raised. Please explain the boiler conversion program that was discussed at the June 28, 2000, meeting with Bronx Community Board No. 2.
- Please provide a list of any other PIP events that have taken place since the Application was printed, i.e. presentation at Community Board No. 9, etc, or that will take place in 2000.

2.3.3 Comments Regarding the Pre-Application Report

- The mailing list provided in Appendix 2A appears to be comprehensive and acceptable criteria were used to identify organizations. While Appendix 2A does contain some large civic associations, community boards, Kiwanis and environmental groups, there are few housing organizations, senior citizen groups, or community centers listed. Will NYPA be able to add these apparently under-represented organizations to the mailing list?
- Staff understands that the project has a service list of approximately 45 and a mailing list of now approximately 300. Please provide copies of the "Service List" versus the "Mailing List" for the project.
- It is not clear how NYPA has followed up on stakeholder concerns. While NYPA may have responded to individual requests and issues, how has it reported back to the general stakeholder base on collective issues raised and actions it has taken, or will take, to incorporate issues raised by the public in its project?
- Please continue to update Staff on a regular basis on all aspects of the project and public involvement activities throughout this Application phase.

2.4 Application and Certification Phase

- When will the Application or an executive summary be available on the website?
- Although the hearing phase of the certification process will provide for formal public involvement in the process, it is important for NYPA to reach out to the impacted communities, and to those who may not choose to take an active role in the project, but still should be kept informed and/or involved in the project. Please discuss plans to continue public involvement during the 12-month hearing process.

2.5 Compliance and Implementation Phase

- In the event that its project is certified, NYPA will need to develop a public involvement program to keep the public informed about the construction of the project.

2.6 Notices and Filing

- Please provide copies of media coverage about the filing of the Application.

A written response to the above comments should be addressed to Secretary Deixler. Responses should focus on any appropriate modifications to NYPA's ongoing and future PIP. Please contact Dianne Cooper at (518) 473-0275 or Jill Wasser at (212) 290-4312 if you have any questions about these comments.

Very truly yours,



Jean A. McDonnell
Assistant Counsel

cc: service list