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 1 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 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. Appendix D (Certificate Conditions) to the Certificate includes requirements for the content of the EM&CPs.

The Certificate provides flexibility for the Certificate Holder to develop the Project 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 that 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 1 on June 22, 2026, and supplemented it on October 9, and October 16, 2026.[4] This Order only pertains to EM&CP Phase 1, which includes tree clearing and related activities in the Hamlet of Oceanside in the Town of Hempstead, Nassau County; in the Hamlet of Glenwood Landing in the Town of Oyster Bay, Nassau County; and in the Town of Huntington, Suffolk County. By this Order, the EM&CP Phase 1 is approved, authorizing the construction activities detailed in its EM&CP Phase 1 pursuant to the conditions of the Certificate and this Order.

BACKGROUND

On April 30, 2026, Propel filed the Joint Proposal signed by the signatory parties.[5] On September 17, 2026, the Commission granted the Certificate, adopting the terms of the Joint Proposal.[6] On June 22, 2026, Propel filed its EM&CP Phase 1. Subsequently, Propel filed supplements to EM&CP Phase 1 on October 9, and October 16, 2026.

Appendix D of the Joint Proposal contains Certificate Conditions which encompass several requirements for compliance, including a requirement that the Certificate Holder submit for public review and Commission approval EM&CP(s) to facilitate construction sequencing and scheduling. As such, the Project, as proposed and subsequently authorized by the Commission, is

[4] Case 24-T-0446, EM&CP Phase 1 (filed June 22, 2026, supplemented October 6 and October 16, 2026)(EM&CP Phase 1).

[5] 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.

[6] Certificate Order.

divided into several phases which will be contained in separate design packages in phased EM&CP filings.[7]

The construction activities proposed in EM&CP Phase 1 consist of clearing of woody vegetation and trees, including those greater than 3 inches in diameter. Proposed tree clearing activities will occur at locations where Propel intends to construct three new substations as part of the Project, and at an area intended for use as a Horizontal Directional Drilling (HDD) landfall for future construction activities. No grubbing or removal of stumps will occur prior to approval of future EM&CP phases. Additionally, no laydown yards will be required for tree clearing activities related to EM&CP Phase 1.

As part of EM&CP Phase 1, Propel proposes approximately 4.45 acres of tree and shrub clearing in preparation for the new 345 kV/138 kV Barrett Substation, which is located on a portion of the E.F. Barrett Generating Station's parcel in the Hamlet of Oceanside, near 4005 Baly Boulevard, in the Town of Hempstead, Nassau County, on a parcel owned by National Grid. EM&CP Phase 1 also includes approximately 0.42 acres of tree and shrub clearing to accommodate the Shore Road HDD Landfall and transition joint vaults located at 400 Shore Road, within an existing parking lot owned by National Grid, surrounded by the National Grid Glenwood Energy Center in the Town of Oyster Bay, Nassau County. Construction related to the trenchless construction activities will be addressed in subsequent EM&CP filings.

Propel will also clear approximately 2.37 acres of trees and shrubs along Shore Road in preparation for the upcoming construction of the new 345 kV/138 kV Shore Road Substation, located at 375 Shore Road, on a parcel owned by

[7] Appendix D, Certificate Condition 6.

National Grid, in the Town of Oyster Bay, Nassau County. Lastly, EM&CP Phase 1 will include approximately 4.98 acres of tree clearing to construct the new 345 kV/138 kV Ruland Road Substation, located on Ruland Road, on a parcel owned by Long Island Power Authority (LIPA) in the Town of Huntington, Suffolk County. The LIPA-owned existing Ruland Road Substation is located on the same parcel as the proposed substation. Actual substation construction will also be detailed and addressed in subsequent EM&CP filings.

PUBLIC NOTICE

Propel filed its proposed EM&CP Phase 1 on June 22, 2026, and provided supplemental filings on October 9, 2026, and 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 for Case 24-T-0446, and on landowners along 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 June 25, 2026, the Certificate Holder filed affidavits of service and proof of publication. In addition, the Certificate Holder posted the EM&CP Phase 1 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.[8] 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 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 the Project, the Commission extended the comment period for EM&CP Phase 1 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.[9]

Throughout the proceeding, over 2,100 comments have been filed. Over 800 comments and other filings have been made since the initial filing of the EM&CP Phase 1 on June 22, 2026. Many of the comments are pertinent to EM&CP Phase 1 and are addressed in this Order. In addition, multiple comments have been submitted related to Article VII process, general procedure(s), the Certificate, or otherwise specifically address anticipated construction covered in the further anticipated EM&CP phases.

The Commission thoroughly reviewed the submitted comments. Comments relating to EM&CP Phase 1 are addressed below. Any comments, or portions thereof, submitted that are pertinent to future EM&CP phases will not be addressed in this Order.

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

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

Department of Public Service staff (DPS staff) facilitated correspondence with the Certificate Holder during development of the EM&CP. DPS staff provided informal comments and recommendations and took part in technical meetings with the Certificate Holder.[10] DPS staff guidance and comments pertained to the content of the required plans under the Certificate, including the Site Plans, Vegetation Management Plan, Complaint Resolution Plan, and Environmental Compliance Plan. Specifically, DPS staff commented that plans which will be used for the entirety of construction should be filed for each phase, suggested that landscape buffers should be employed, and that certain work should conform to site specific remediation plans.

This Order approves the Certificate Holder's EM&CP Phase 1, as filed on June 22, 2026, and supplemented and revised on October 9 and 16, 2026, subject to the conditions below.

PUBLIC COMMENTS AND RESPONSES

The Certificate Order established a 30-day EM&CP comment period for each EM&CP Phase.[11] 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.

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

[11] Certificate Condition 34(g).

Comments were provided on EM&CP Phase 1 from the Village of Sea Cliff, Hempstead Harbor Protection Committee, and numerous individuals. The comments expressed concern related to several topics, such as construction activities, site-specific remediation measures, restoration plans related to impacted waterbodies, and sensitive land uses such as schools. Other comments expressed concerns regarding the Project's impact on emergency services, impacts related to construction noise and dust control, construction site supervision, Electromagnetic Field (EMF) levels, submarine cable installation, and aquatic recreation impacts.

Comments also expressed concern regarding the timing of the EM&CP filing, construction timing between EM&CP phases, construction work hours, the EM&CP change process, that the scope of the work in the EM&CP is not routine, and that notifications regarding the scope of work are insufficient. The comments also expressed concerns regarding plans and details concerning archaeological resources (EM&CP Phase 1 Appendix O), wetlands and waterbodies, materials management plan, dewatering, the tree clearing plans, the Construction Safety and Security Plan: public safety (EM&CP Phase 1 Appendix O), the Stormwater Pollution Prevention Plan (SWPPP)(EM&CP Phase 1 Appendix H-1), the Fugitive Dust Plan (EM&CP Phase 1 Appendix I-1), Construction Noise Control Plan (EM&CP Phase 1 Appendix M-1), Complaint Management and Resolution Plan (EM&CP Phase 1 Appendix N), Environmental Compliance Plan (EM&CP Phase 1 Appendix D); and time of year restrictions. Comments also raised concerns regarding the identification of qualified inspectors, trained contractors, and Environmental Monitors. Other comments raised concerns regarding the EMF analysis developed for the Project, whether Propel could obtain certain rights and permissions, the effect on utilities, the impact on safety, medical, or other

critical services, the visual impacts of tree clearing, and the appropriate notice of environmental incidents, field changes or corrective actions, and showing compliance with certain Certificate Conditions.

Several comments also raised concerns that the EM&CP Phase 1 filing lacks firm commitment by Propel regarding its management of impacts to traffic, on construction scheduling, emergency response services, and to local school operations. Other comments also raised concerns regarding the anticipated burial depth of the Project, impacts on navigation, and a lack of certain environmental safeguards. Further, some commenters requested numerous new conditions beyond those approved in the Certificate Order.

Some of the concerns raised by the public required modifications to the above-cited plans and other materials filed in the EM&CP Phase 1. To document and organize its responses to public comments, the Certificate Holder filed a Response Matrix (Response Matrix).[12] The Certificate Holder's Response Matrix outlines specific responses to comments, including additional information provided by the Certificate Holder on certain topics, citations to or identification of where information can be found in Propel's filings, clarification explaining how the submitted materials address public comment(s), explanation of how Propel will comply with Certificate Conditions, and discussion of requirements tied to upcoming work that is not covered by EM&CP Phase 1, but will be covered in future EM&CP filings.

[12] EM&CP Phase 1, Cover Letter and Public Comment Responses (filed October 9, 2026).

On October 9, 2026, and October 16, 2026, in response to DPS staff comments and public comments, Propel provided supplemental filings of the following EM&CP Phase 1 attachments:

Appendix	Name
A-1	Tree Plans
B	Sample Forms
C-1	Permits and Agency Correspondence
D	Environmental Compliance Plan
F-1	Construction Safety and Security Plan
G-1	Spill Prevention, Control, and Countermeasure Plan
H-1	Stormwater Pollution Prevention Plan
N	Complaint Management and Resolution Plan

The Propel EM&CP Phase 1 Response Matrix addressed numerous public comments covering 25 distinct topics, which ranged from the timing of the EM&CP filing to compliance with the Certificate Conditions.

We find that the Propel EM&CP Phase 1 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 1 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 1 are not addressed by this Order. Comments that the Commission determined warrant additional consideration and explanation are broken down by topic below.

COMMENTS REITERATING CLAIMS IN PETITIONS FOR REHEARING AND 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 1 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 by this Order.

FILING COMPLETENESS

Commenters also raised concerns about the EM&CP Phase 1 filing being incomplete. Ms. Joan Matthews stated that the Commission should not approve EM&CP Phase 1 because it relies on future filings to supply information that should be provided during Phase 1.[13] Further, the Hempstead Harbor Protection Committee (HHPC) stated that EM&CP Phase 1 should include detailed final plans concerning topics such as equipment routes, grading, soil disturbance, and wetland protection and restoration.[14] Dan McAree also requested "final plans and engineering criteria for each access route and temporary work."[15]

[13] Joan Matthews Comments (filed October 1, 2026).

[14] HHPC Comments (filed July 18, 2026), pp.4-5; Joan Matthews Comments, p. 2. States that Certificate Holder failed to establish final plans before clearing and allows discretion and post-approval modification rather than providing final mapped limits with enforceable conditions.

[15] McAree Comments (filed October 23, 2026).

HHPC also stated the Certificate Holder should not be allowed to set access routes, grading, and clearing limits in the field.[16] Despite the concerns raised in certain comments about the alleged lack of final plans with enforceable limits, the Certificate Order acknowledged that it was appropriate for the Certificate Holder "to develop a multi-phased EM&CP in compliance with the specifications and standards outlined in the Joint Proposal Appendix E and as described in Appendix C."[17] Also, the Certificate appropriately defines the Project area and the corresponding limits of disturbance which are further defined by the filed construction drawings in the applicable EM&CP.[18]

Doug Augenthaler and Christine Panzeca commented that the Certificate Holder's October 9, 2026 filing is incomplete and was not updated until October 16, 2026, which impacts the public's ability to participate in this proceeding.[19] Further, Doug Augenthaler and Christine Panzeca contend that the Certificate Holder failed to comply with the Certificate Conditions because the EM&CP Phase 1 documents were not provided to the Gold Coast Public Library. Doug Augenthaler and Christine Panzeca also requested that the Commission identify the date when the complete filing of the EM&CP Phase 1 became publicly accessible. Doug Augenthaler and Christine Panzeca also stated that Appendix N, as supplemented, is incomplete because it is missing associated Compliant Forms and Compliant Log attachments.[20]

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[16] HHPC Comments, p. 4.

[17] Certificate Order, p. 17.

[18] Certificate Condition 2.

[19] Augenthaler & Panzeca Comments (filed October 23, 2026).

[20] Id.

Regarding submission of the filings to the Gold Coast Library, the Certificate Conditions do not require the Certificate Holder to resubmit the EM&CP filings to public repositories after every individual supplement. DPS staff confirmed with the Certificate Holder that the Gold Coast Library received copies of the EM&CP Phase 1 filing in July 2026. 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.

Further, regarding the Complaint Management Plan, the Certificate Holder provided an updated Appendix N that includes an inquiry form example as well as the complaint log.[21] Finally, the Complaint Management and Resolution Plan is consistent with the requirements of the Certificate.[22]

The Village of Sea Cliff (Village) stated that there is "an unreconciled controlling document record" and requests a site specific register.[23] Similarly, Dan McAree requests a fully indexed Phase 1 package, and a supplemental comment period pursuant to Certificate Condition 34 for any EM&CP Phase 1 document that "was omitted, replaced, materially completed or first made reasonably reviewable after the date used to calculate the original deadline."[24]

Concerning the Village's and Dan McAree's comments, the EM&CP Phase 1 filing, including the supplemental materials filed on October 9 and October 16, 2026, were simultaneously served on all parties, including the Village and Dan McAree, and

[21] EM&CP Phase 1 Appendix N, Complaint Management & Resolution Plan (revised October 16, 2026).

[22] Certificate Conditions 55 and 57.

[23] Village Comments (filed October 23).

[24] McAree Comments.

were filed with the Secretary and posted publicly on the Department's Document Matter Management (DMM) website, consistent with the applicable Certificate Condition.[25] Additionally, comments on subsequent revisions to the EM&CP, in response to aforementioned written comments, were considered after the October 9 and October 16 filings consistent with Certificate Condition 34.

SWPPP AND ALLEGED CONTAMINATION

Commenters stated that the stormwater pollution prevention plan, or SWPPP, should be developed prior to approval. Doug Augenthaler and Christine Panzeca contended that the Certificate Holders should not be allowed to identify deficiencies related to potential contamination in the field and cure them in a later EM&CP.[26] Additionally, the Village stated that the revised narrative, which states that no grading is planned, contradicts the Shore Road SWPPP, which states that minor grading is necessary.[27] Also, Joan Matthews stated that the EM&CP Phase 1 does not contain enough information regarding contamination controls, monitoring triggers, or contingency procedures.[28] Dan McAree also requested specific treatment for contamination.[29]

The Certificate Holder's Phase 1 Response Matrix indicated that "[e]xtensive land movement is not proposed for EM&CP Phase 1," and "Phase 1 involves only tree clearing, not stump removal/grading."[30] In addition, the Certificate Holder

[25] Certificate Condition 33.

[26] Augenthaler & Panzeca Comments.

[27] Village Comments.

[28] Joan Matthews Comments.

[29] McAree Comments.

[30] Appendix D, Certificate, Section E.

stated that any disturbance of soil which occurs as part of the proposed tree clearing during EM&CP Phase 1 is required to comply with the site management plan which contains the appropriate contamination controls. Additionally, EM&CP Phase 1 does not propose work that will require significant soil disturbance. Despite the inconsistency between the Revised Narrative and the SWPPP, Propel indicated that grading will not occur during Phase 1. Accordingly, this Order does not authorize grading for Phase 1. If grading becomes necessary and the Certificate Holder intends to pursue any grading during Phase 1, the Certificate Holder is directed to file with the Secretary the appropriate change request pursuant to Certificate Condition 36.

TEMPORARY STABILIZATION COMMENTS

The Village stated that the Certificate Holder failed to update Appendix H-1 (SWPPP) to remove wood chips as a stabilization measure.[31] The Certificate Holder responded by acknowledging the inadvertent inclusion of wood chips as a temporary stabilization measure and stated that they would remove them from the amended SWPPP. Submission of an updated SWPPP is unnecessary here because Propel has indicated on the record that they will not utilize wood chips. Accordingly, we find that it is appropriate to rely on Propel's statement regarding Appendix H-1 since the Project's SWPPP is a living document that is maintained by either the Regional Department of Environmental Conservation (NYSDEC) Office or Municipal Separate Storm Sewer System (MS4) and can be updated through that separate process without resubmittal to DMM. Additionally, pursuant to Certificate Condition 42, the MS4 and Letter of

[31] Village Comments.

Authorization from NYSDEC shall be filed with the Secretary before the Certificate Holder may receive a Notice to Proceed.

DPS STAFF

DPS staff reviewed EM&CP Phase 1, participated in informal consultation, and provided recommendations to the Certificate Holder. DPS staff also consulted with NYSDEC to confirm that they reviewed EM&CP Phase 1 and that they had no unresolved comments. DPS staff provided proposed revisions to the design plans and other parts of the EM&CP, including the following topics: 1) The Tree Clearing Plan, 2) Sample Forms; 3) Permits and Agency Correspondence; 4) Environmental Compliance Plan; 5) Construction & Safety Security Plan; 6) Spill Prevention, Control, and Countermeasure Plan; 7) SWPPP; and 8) Complaint Management and Resolution Plan.

The Commission is advised that DPS staff's recommendations were adequately addressed and resolved in the revised EM&CP Phase 1 supplements filed on October 9, 2026, and October 16, 2026.

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 ensure that affected stakeholders and members of the public will have ample opportunity for

[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.

involvement and comment throughout the EM&CP review process, prior to any Commission consideration of the EM&CPs.[33]

The Commission finds that the EM&CP Phase 1, 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 and the commenters. Based upon a review of all the documents submitted, responses received, and revised filings made by the Certificate Holder, the EM&CP Phase 1 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 1 of the Propel Project, filed jointly by New York Transco, LLC, and the New York Power Authority (Certificate Holder), on June 22, 2026, and supplemented on October 9, 2026, and 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.

[33] Certificate Order, p. 17.

4. This proceeding is continued.

By the Commission,

(SIGNED) MICHELLE L. PHILLIPS
Secretary