

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 20-T-0617 - Application of Sunrise Wind LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Up to 6.2 Miles (320 kilovolt [kV]) of Direct Current (DC) Submarine Export Cable from the New York State Territorial Waters Boundary to the Smith Point County Park on Fire Island in the Town of Brookhaven in Suffolk County and Up to 17.5 Miles (320 kV) of Onshore Transmission Cable from the Landfall at Fire Island to a New Onshore Converter Station in the Town of Brookhaven and Up to 1 Mile (138 kV) of Alternating Current (AC) Onshore Interconnection Cable Connecting to the Existing Holbrook Substation in the Town of Brookhaven in Suffolk County.

NOTICE INVITING COMMENTS

(Issued November 8, 2023)

On November 17, 2022, the Public Service Commission (Commission) granted a Certificate of Environmental Compatibility and Public Need (Certificate), pursuant to Public Service Law (PSL) Article VII, to Sunrise Wind LLC (the Certificate Holder), authorizing the construction of approximately 5.2 miles of 320 kilovolt (kV) direct current (DC) submarine export cable from the New York State Territorial Waters boundary to the South Shore of the Town of Brookhaven in Suffolk County; approximately 17.5 miles of 320 kV DC underground terrestrial export cable from the South Shore of the Town of Brookhaven to a new onshore converter station; and an approximately 1.1-mile underground interconnection cable consisting of two 138 kV alternating current (AC) circuits connecting to the existing Holbrook Substation (the Project).

In a petition filed on September 25, 2023 (Amendment Petition), pursuant to PSL Section 122(4), the Certificate Holder requests a Certificate amendment that would authorize changes to Certificate Condition 18. The requested amendment would allow the Certificate Holder to commence limited construction activities prior to receipt of certain Federal and State permits. The Amendment Petition asserts that the modifications are needed for Sunrise Wind to maintain its construction schedule and to coordinate with on-going and anticipated construction in the Project area. Currently, Certificate Condition 18 reads as follows:

The Certificate Holder shall not commence Post-Phase 1 work prior to the issuance of the: (i) COP approval; (ii) the Corps Permit; (iii) appropriate Work Permit by the New York State Office of General Services; and (iv) remaining permits necessary to place the transmission cable (i.e., an appropriate EM&CP approval by the Commission and National Park Service special use permit). The Certificate Holders shall provide copies of said permits to the Secretary within fifteen days of receipt. In no event shall a delay or failure to obtain any of the above-referenced approvals serve as an occasion or justification for a deferral or alteration of any and all required site clean-up and restoration activities as set forth in the applicable EM&CP and relevant sections of this Certificate.

If amended, Certificate Condition 18 would read:

Aside from the Phase 2a Work as defined in the petition filed in Case 20-T-0617 on September 25, 2023, which may begin following Staff's issuance of a Notice to Proceed, the Certificate Holder shall not commence Post-Phase 1 work prior to the issuance of the: (i) COP

approval; (ii) the Corps Permit; (iii) appropriate Work Permit by the New York State Office of General Services; and (iv) remaining permits necessary to place the transmission cable (i.e., an appropriate EM&CP approval by the Commission and National Park Service special use permit). The Certificate Holders shall provide copies of said permits to the Secretary within fifteen days of receipt. In no event shall a delay or failure to obtain any of the above-referenced approvals serve as an occasion or justification for a deferral or alteration of any and all required site clean-up and restoration activities as set forth in the applicable EM&CP and relevant sections of this Certificate.

PLEASE TAKE NOTICE that comments on the Amendment Petition are requested by November 29, 2023. Comments should be submitted electronically, by going to www.dps.ny.gov, clicking on "File Search" (located under the heading "Commission Files"), entering "20-T-0617" in the "Search by Case Number" field, and then clicking on the "Post Comments" box located at the top of the page. Those unable to file electronically may mail their comments to the Honorable Michelle L. Phillips, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York, 12223-1350. Comments submitted to the Secretary will be posted on the Department's website and will be included in the official case record.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary