

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 24-T-0113 - Petition of Long Island Lighting Company d/b/a LIPA for a Certificate of Environmental Compatibility and Public Need, Pursuant to Article VII of the Public Service Law, for the Southampton to Deerfield Transmission Project.

NOTICE OF JOINT PROPOSAL AND
OPPORTUNITY FOR PUBLIC COMMENT

(Issued June 26, 2025)

On June 12, 2025, a Joint Proposal was filed by Long Island Lighting Company d/b/a LIPA (the Applicant). The Joint Proposal was signed by the Applicant, trial staff of the New York State Department of Public Service, the New York State Department of Environmental Conservation, and the New York State Department of Agriculture and Markets. The only remaining party, Suffolk County, did not sign but indicates that it supports the Joint Proposal.

The Joint Proposal contains the terms, conditions, practices, and guidelines recommended by the signatory parties for inclusion in a Certificate of Environmental Compatibility and Public Need (Certificate). The Certificate, if granted, would authorize the Applicant to construct a new, 138 kilovolt (kV) transmission line, approximately 4.5 miles long, to be located primarily within municipal roadway rights-of-way between the Southampton Substation and the Deerfield Substation in the Town of Southampton, Suffolk County (the Project). The Project will initially operate at 69 kV.

A summary of the Joint Proposal prepared by the Applicant is attached to this Notice. The full Joint Proposal and all related documents may be viewed on the Department of Public Service's website by going to www.dps.ny.gov, clicking on

"File Search" (located under the heading "Commission Files"), and entering "24-T-0113" in the "Search by Case Number" field.

PLEASE TAKE NOTICE that interested persons are invited to submit comments pertaining to the Project and the terms of the Joint Proposal. Comments should refer to "Case 24-T-0113" and must be submitted **by July 25, 2025**. Comments may be submitted using one of the following methods:

Internet: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter "24-T-0113" in the "Search by Case Number" field, and then click on "Post Comments" at the top of the page.

Mail: Comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 1223-1350; however, electronic filing of comments is strongly encouraged.

Toll-Free Opinion Line: Individuals may choose to submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-State callers, 24-hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

All written comments submitted to the Secretary will be posted on the Department's website and will become part of the record of the proceeding in which they are posted. Please be advised that untimely comments may not be considered by the Commission. Comments 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.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

Summary of SHDF Joint Proposal

(Case 24-T-0113)

Background

On February 16, 2024 and subsequently, PSEG Long Island LLC, on Behalf of and as Agent for the Long Island Lighting Company d/b/a LIPA, a wholly owned subsidiary of the Long Island Power Authority (“PSEG Long Island” or the “Applicant”), filed application documents (collectively, the “Application”) in Case 24-T-0113 seeking an Article VII Certificate of Environmental Compatibility and Public Need for a project called the “Southampton to Deerfield Transmission Project” (the “Project”), comprised of the construction, operation and maintenance of a new 138 kilovolt (kV) underground electric transmission line (the “Facility”) for a total distance of approximately 4.5 miles between the Southampton Substation (located in the Village of Southampton), and the Deerfield Substation (located in the Town of Southampton), all in the County of Suffolk. The Project is proposed to address the thermal constraint on an existing transmission circuit in the event of an outage of a double circuit line in the area, and to further increase the load-serving capacity of the South Fork of Long Island. The Facility, to be operated initially at 69 kV, would be constructed underground in municipal public roadway rights-of-way within which LIPA holds utility franchise rights, and aboveground at terminal facilities within existing LIPA-owned substations. With the exception of temporary rights to establish marshalling yards during construction, the Applicant does not anticipate a need to acquire property rights for the Project.

Joint Proposal

Following extensive settlement negotiations with numerous settlement participants, PSEG Long Island filed a Joint Proposal in this case on June 12, 2025. The Joint Proposal, which includes five appendices, was signed by PSEG Long Island, Staff of the New York State Department of Public Service designated to represent the public interest in this proceeding (“DPS Staff”); the New York State Department of Environmental Conservation (“NYSDEC”); and the New York State Department of Agriculture & Markets (“NYSAGM”) (collectively, the “Signatory Parties”). While not a participant in the settlement negotiations, the County of Suffolk (the only other active party to the Article VII proceeding) has indicated its support of the Joint Proposal.

The Joint Proposal includes numerous proposed ordering clauses that the Signatory Parties recommend the Commission adopt. These are located in Appendix D. Most of the clauses are standard Article VII Joint Proposal clauses that would impose stringent requirements on Applicant to address important concerns such as public notice, health and safety, the contents of the Environmental Management and Construction Plan (“EM&CP”), right-of-way restoration, and protection of environmental resources. As a result of the settlement negotiations among the Signatory Parties, the Joint Proposal also includes several Project-specific environmental resource avoidance, minimization and mitigation provisions; however, the settlement negotiations did not result in any material changes to the design or location of the Project as proposed in the Application.

Project-Specific Environmental Protection Provisions

While the Joint Proposal (including its Appendices) reflects the agreement of the Signatory Parties that the overall environmental impacts of the Project are expected to be minimal and generally limited to temporary, construction-related disturbances, it would impose certain Project-specific environmental resource avoidance, minimization and mitigation measures, including:

- Neither blasting nor pesticides or herbicides will be used for construction of the Project.
- The Project will not cross any State, County, or municipal parks or designated recreational areas.

- Marshalling yards will not be sited within threatened and endangered species (“T&E”) habitat, wetlands or state regulated wetland adjacent areas, or within fifty feet of waterbodies or streams.
- Because the Project is largely comprised of underground facilities and the only aboveground elements are limited to substation connections and manhole covers, visibility from public view would be minimized.
- No properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted.
- Limited vegetation clearing necessary along the roadways and at the substations will be performed in accordance with applicable Federal and State requirements to eliminate impacts to protected habitats or T&E species or species of special concern.
- To avoid impacts to the northern long-eared bat (“NLEB”) and its habitat, the Project has been proposed to be sited at least 150 feet from any known NLEB maternity roost, and 0.25 mile from any known NLEB hibernaculum; no tree clearing shall occur outside of an approved clearing window within 150 feet of any NLEB maternity roosts.
- Consultations with appropriate Federal and State agencies will occur if the Tri-Colored Bat is designated a listed Endangered Species, to confirm the Joint Proposal avoidance, minimization and mitigation measures are compliant with applicable law.
- NYSDEC and DPS Staff will be notified of any observations of T&E species and Project activities in the area of observation will cease unless such activities are required for protection of human life or property necessary to maintain electric reliability.
- Visual inspections for the presence of bald eagles will be conducted prior to construction and no construction work will occur during the bald eagle breeding season within 0.25 mile (or 660 feet if there are visual barriers) of any existing known bald eagle nest except as necessary to protect human life or property necessary to maintain electric reliability or if certain other specified protective measures are satisfied.
- Although the Project does not traverse Agricultural Districts, it is adjacent to such areas and therefore measures consistent with then current NYSAGM published guidelines will be implemented.
- Even though agency consultations, field studies and review of agency maps and publications revealed that there are no Federal or State wetlands or surface water resources traversed by the Project, all construction, operation or maintenance activities will be performed in accordance with Appendix D in a manner that avoids and minimizes adverse impacts to streams, waterbodies, wetlands, and the one hundred (100) foot adjacent area associated with any State-regulated wetland should such resources be encountered.
- Should the Project not be fully constructed within five (5) years from the date a Certificate of Environmental Compatibility and Public Need may be issued by the Public Service Commission, consultations with NYSDEC and DPS Staff will be required to determine if a new freshwater wetlands jurisdictional determination is necessary.
- Construction activities will not occur during the period between Memorial Day and Labor Day or on Thanksgiving Day, Christmas Day, and New Year’s Day.
- Specific Project activities (such as splicing to allow for clean work environments) are required to be performed continuously and thus will occur outside of the standard Monday to Saturday 7am to 7pm construction period, including during overnight hours. Overnight work and other construction requirements to reduce Project impacts, as specified by the municipalities having jurisdiction over the roadways where the Project will be located, will be set forth in the EM&CP.