

Lynne Bruning
PO Box 160
Quaker Street, NY 12141

Casey Kirkpatrick
National Grid Interconnection Ombudsman
Email: Casey.Kirkpatrick@nationalgrid.com

October 8, 2020

RE: Eden Renewables Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC Delanson, Schenectady County, New York

Dear Mr. Kirkpatrick,

I reside on the property adjacent to Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC power plants located at 13590 Duanesburg Road, Delanson New York 12053, (the "Project"). National Grid's August 2020 interconnection queue spreadsheet reflects a combined 9MW of Energy Storage Solutions ("ESS") for the Project and that the Utility is retaining the Renewable Energy Certificates ("REC's"). This Project description is different than the Resolution and Site Plan as approved by the Town of Duanesburg Planning Board on September 19, 2020. Neither document mentions or locates energy storage solutions for this community solar Project. *See* Exhibit A and Exhibit B.

My residence is East of the Project located at 13388 Duanesburg Road and shares approximately a 2,500 foot property boundary with the two proposed Oak Hill solar power plants. On October 16, 2019, my mother, Susan Biggs, and I filed an Article 78 proceedings against Eden Renewables LLC, Richard Murray and the Duanesburg Planning Board. Case number 531440 *Mater of Biggs v Eden Renewables, LLC et al.* has been transferred to and is presently pending in the Appellate Division, Third Judicial Department.

The New York State Department of Public Service ("NYSDPS") webpage for the New York Standardized Interconnection Requirements ("NYSIR") is found at: <https://www3.dps.ny.gov/W/PSCWeb.nsf/All/286D2C179E9A5A8385257FBF003F1F7E?> This webpage provides a hotlink

to download National Grid's Utility Interconnection Queue Data (August 2020). This spreadsheet reflects that the Project's Developer is Nicole LaBlanc (AMP Solar Dev. Inc.) and includes 10MW generated of photovoltaic power and 9MW of ESS. *See* Exhibit C.

On or about September 5, 2019 Eden Renewables and their engineer Travis Mitchell of Environmental Design Partnership submitted "National Grid Coordinated Electric System Interconnect Review" documents for Oak Hill Solar 1 and for Oak Hill Solar 2. *See* Exhibit D. Neither interconnection review document mentions or references battery facilities or ESS. Both documents indicate that the Applicant is New PowerCo Inc. The Delaware Secretary of State records reflect that New PowerCo is registered to Harry Lopes of Marlborough Great Britain, who is also a director of Eden Renewables, *See* Exhibit E.

On April 15, 2020 our attorney, Douglas H. Zamelis Esq., submitted a letter and supporting exhibits to New York State Energy Research and Development Authority ("NYSERDA") detailing that energy storage was not approved for the Project. *See* Exhibit F. Copies were submitted to NYSERDA, Attorney General, Inspector General Comptroller and others.

July 1, 2020, almost a year after the first public hearing for the Project, over six months after the sale of the Project to Amp Solar Group, and multiple requests for information from myself the New York State Department of Environmental Conservation published the Project's Negative Declaration in the Environmental Notice Bulletin https://www.dec.ny.gov/enb/20200701_not4.html. *See* Exhibit G. This state mandated legal notification did not contain the two Project names, correct addresses, acreage, photovoltaic capacity, or mention batteries and energy storage.

If Eden Renewables, LLC, New PowerCo Inc, Amp Solar Dev. Inc. or subsequent owner operator of Oak Hill Solar 1 and 2, LLCs construct anything beyond that approved in the September 19, 2019 Resolution and Site Plan then Susan Biggs and Lynne Bruning will retain all legal rights and remedies.

Thank you for your time and attention to this important matter.

Regards,

Lynne Bruning
720-272-0956
lynnebruning@gmail.com

cc:

John Rhodes, Chair NYSDPS
Doreen M. Harris, Acting President NYSERDA
Hon. Letitia James, NYS Attorney General

Hon. Letizia Tagliaferro, NYS Inspector General
Hon. Thomas DiNapoli, NYS Comptroller
Basil Seggos, NYSDEC
Patricia Gabriel, NYSDEC Region 4
Casey Kirkpatrick, National Grid Ombudsman
Elizabeth Grisaru, NYSDPS Interconnection Ombudsman
Jim Hastings, NYSEERDA Interconnection Ombudsman
Hon. Roger Tidball, Supervisor Town of Duanesburg
Harry Lopes, Eden Renewables
David Rogers, Amp Solar Group
Douglas H. Zamelis, Esq.

Enc: Exhibits