

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

NOTICE OF PUBLIC STATEMENT HEARINGS  
AND SECOND NOTICE OF INTERVENOR FUND AVAILABILITY  
CONCERNING THE APPLICATION OF WEST POINT PARTNERS LLC  
TO CONSTRUCT AND OPERATE A 345 KV ELECTRIC  
TRANSMISSION LINE KNOWN AS THE WEST POINT PROJECT

CASE 13-T-0292

(Issued March 25, 2014)

West Point Partners, LLC (the Applicant) has filed an application for authority to construct and operate a 1,000 megawatt (MW) high-voltage direct current (HVDC) transmission line, approximately 80 miles long, and related facilities connecting the existing National Grid Leeds substation in the Town of Athens, Greene County and the existing Consolidated Edison Buchanan North substation in the Village of Buchanan, Town of Cortlandt, Westchester County (the Project).

The Project would comprise the following principal components:

- a. Approximately 77.3 miles of in-river 320 kilovolt (kV) HVDC Transmission Cable together with associated communications fiber buried in the bed of the Hudson River;
- b. Two underground transition vaults, one at each end of the in-river cable route, where the in-river cable would be spliced to the land transmission cables;
- c. Approximately 3.6 miles of 320 kV HVDC land transmission cable with associated communication fiber linking in-river cable to the northern and southern converter stations;
- d. Two HVDC converter stations, one at each end of the in-river HVDC cable, linking the HVDC cable to the 345 kV alternating current (AC) grid; and
- e. Approximately 1.6 miles of 345 kV AC land cable connecting the HVDC converter stations to the Leeds and Buchanan North substations.

The in-river cable will be buried in submerged lands owned by New York State, within the Hudson River. From the northern underground transition vault, land cables would be located in the Town and Village of Athens. From the southern underground transition vault, land cables would be located in the Hamlet of Verplanck and Village of Buchanan, within the Town of Cortlandt. Land cables at either end of the Project would be located within existing public rights-of-way and in new rights-of-way obtained from private land owners. The Project will require the Applicant to acquire new property rights through negotiated purchase or by exercise of eminent domain.

The Applicant also has requested that the Commission issue a water quality certification pursuant to the Federal Water Pollution Control Act, Section 401 (33 U.S.C. §1341) (See Application, Section 8.2.).

Review of the application has only recently commenced. On March 20, 2014, the Administrative Law Judge (ALJ) conducted a procedural conference at which the ALJ discussed with the parties initial requests for intervenor funds and heard the parties' proposals for a case schedule including testimony, hearings, site visits, and other milestones.

TAKE NOTICE that four opportunities for public education and comment will be held, as follows:

**TOWN OF ATHENS:**

Date: Wednesday, April 23, 2014

Location: **Athens Volunteer Firehouse**  
39 Third Street  
Athens, NY 12015

Time: Informational Forum:  
2:00 p.m. - 3:00 p.m.

Public Statement Hearing:  
3:00 p.m.

Location: **Edward J. Arthur Elementary School**  
Auditorium  
51 Third Street  
Athens, NY 12015

Time: Informational Forum:  
6:00 p.m. - 7:00 p.m.

Public Statement Hearing:  
7:00 p.m.

**TOWN OF CORTLANDT:**

Date: Wednesday, April 30, 2014

Location: **Muriel H. Morabito Community Center**  
29 Westbrook Drive  
Cortlandt Manor, NY 10657

Time: Informational Forum:  
2:30 p.m. - 3:30 p.m.

Public Statement Hearing:  
3:30 p.m.

Time: Informational Forum:  
6:00 p.m. - 7:00 p.m.

Public Statement Hearing:  
7:00 p.m.

At each Informational Forum, the Applicant will have maps of the proposed route and alternative routes available for viewing. Department of Public Service Staff will provide a brief overview of the Public Service Law certification process and the Applicant will provide a brief summary of the proposed project. These presentations will be followed by an opportunity for members of the public to pose questions about the transmission line application.

An ALJ will conduct each public statement hearing. In order to speak at the hearing, it is not necessary to be present at the start of the hearing, to make an appointment in advance,

or to present written material. Persons will be called to speak after completing a request card. A time limit may be set to allow the greatest number of speakers to be heard. Each public statement hearing session will continue until everyone wishing to speak has been heard or other reasonable arrangements have been made. A verbatim transcript of the hearings will be made for inclusion in the record of these proceedings.

Disabled persons requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518) 474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Commission at 1-800-342-3377 for free language assistance services regarding this notice.

The application may be reviewed online at the Department of Public Service web page. The application also may be reviewed at the Town of Athens and Town of Cortlandt Town Halls, and is available at the following public libraries in the project vicinity: Hyde Park Free Library; Hudson Area Library; Kingston Library; D.R. Evarts Library (Athens); Newburgh Free Library; The Field Library (Peekskill); Adriance Memorial Library (Poughkeepsie); Catskill Public Library; Julia L. Butterfield Memorial Library (Cold Spring); and Hendrick Hudson Free Library (Montrose).

**Other Ways to Comment**

For those who cannot attend or prefer not to speak at a public statement hearing, there are several other ways to provide your comments to the Commission. Comments should refer to "Case 13-T-0292."

**Via the Internet or Mail:** The public may submit comments electronically to the Hon. Kathleen H. Burgess,

Secretary, at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Comments may also be entered directly into the case file by locating the case via the home page of the Commission's Web site, [www.dps.ny.gov](http://www.dps.ny.gov), by clicking on "Search," and entering 13-T-0292 in the "Search by Case Number" field. In the open case, enter comments in the "Post Comments" field located at the top of the page. Comments should refer to Cases 13-T-0292. Many libraries offer free internet service. Members of the public without internet access may submit comments by mail or delivery to Secretary Burgess at the New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.

**Toll-Free Opinion Line:** Individuals may choose to submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This line is set up to receive in-state calls 24-hours a day. These calls are not transcribed but a summary is provided to the ALJ who will report to the Commission.

Comments will become part of the record considered by the Commission. Comments will be accepted throughout the pendency of this proceeding. Written comments may be read on the Web site by searching Case 13-T-0292 and clicking on the "Public Comments" tab; transcripts of public statement hearings will be posted to the Web site in the "Public Documents" tab.

TAKE FURTHER NOTICE that, pursuant to Public Service Law (PSL) §122(5), an intervenor fund of \$350,000.00 has been established for this proceeding. The purpose of the intervenor fund is to allow parties to contribute to the development of a complete record leading to an informed Commission decision, and to foster broad public participation. The Commission's rules applicable to intervenor funding appear at 16 NYCRR 85-2.4. The Part 85 Rules, including 85-2.4, may be accessed at the following webpage: <http://tinyurl.com/pvh9mdn>.

Parties requesting intervenor funds must comply fully with the Commission's rules, particularly, 85-2.4(d), which provides that an application for intervenor funding contain:

- (1) a statement of the number of persons and the nature of the interests the requesting party represents;
- (2) a statement of the availability of funds from the resources of the requesting party and from other sources and of the efforts that have been made to obtain such funds;
- (3) if the requesting party represents owners or occupants of real property, the location of such real property in relation to the route proposed for the facility and any alternative route specified as reasonable in the application;
- (4) the amount of funds being sought;
- (5) to the extent possible, the name and qualifications of each expert to be employed;
- (6) if known, the name of any other party who may, or is intending to, employ such expert;
- (7) a detailed statement of the services to be provided by expert witnesses, consultants or others (and the basis for the fees requested), specifying how such services will contribute to a complete record leading to an informed decision as to the appropriateness of the facility and route;
- (8) a statement as to the result of any effort made to encourage the applicant to perform any proposed studies or evaluations and the reason it is believed that an independent study is necessary; and
- (9) a copy of any contract or agreement or proposed contract or agreement with each expert witness, consultant or other person.

An initial schedule for requesting intervenor funds was provided in a February 18, 2014 Notice of Intervenor Fund Availability, requiring the filing of requests for funds by March 5, 2014. Attached to that ruling is a guidance document on intervenor funding. This notice establishes a second opportunity to request intervenor funds. Such requests must be

filed with the Commission Secretary by May 14, 2014 and should be sent to Kevin Casutto, the presiding Administrative Law Judge (ALJ) for this case. Requests for funds should preferably be submitted electronically to the Secretary, Kathleen H. Burgess at secretary@dps.ny.gov, or, if e-mail is unavailable, by U.S. Postal Service, first class mail, to Kathleen H. Burgess, Secretary, 3 Empire State Plaza, Albany, NY 12233-1350. Requests for funds or inquiries concerning the intervenor fund application process may be addressed to ALJ Casutto by e-mail at kevin.casutto@dps.ny.gov or by mail at the Commission's Albany address provided above.

The matters described above are being considered in Case 13-T-0292 - Application of West Point Partners LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Authority to Construct and Operate a 345 Kv Transmission Line Known as the West Point Project.

KATHLEEN H. BURGESS  
Secretary