

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case 22-E-0400 - Petition of Baron Winds II LLC for an Order Granting a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law and for an Order Granting Lightened Regulation.

NOTICE OF PUBLIC STATEMENT HEARING
AND PROCEDURAL CONFERENCE

(Issued September 25, 2024)

Comments are requested concerning a petition filed by Baron Winds II, LLC (Baron Winds II), pursuant to Section 68 of the Public Service Law, seeking lightened regulation as a wholesale electric generator, as well as a Certificate of Public Convenience and Necessity. Baron Winds II seeks authorization to construct, own, and operate a wind energy generating project (the Project) in the Towns of Fremont, Wayland, and Cohocton, Steuben County.

Construction and operation of the Project is subject to the terms and conditions of the Certificate of Environmental Compatibility and Public Need issued by the New York State Board on Electric Generation Siting and the Environment (Siting Board).¹ The scope of the Commission's review of the petition filed in this proceeding will not duplicate the issues that were previously considered and decided by the Siting Board.

¹ Case 15-F-0122, Baron Winds -Art. 10 Application, Order Granting Certificate of Environmental Compatibility and Public Need, With Conditions (issued January 9, 2023).

PLEASE TAKE NOTICE that a virtual public statement hearing will be held before Administrative Law Judge (ALJ) Anthony Belsito on:

DATE: October 10, 2024
TIME: 3:00 p.m.

Electronic Access: www.webex.com
Event Number: 2333 247 6007
Password: OCT10-3pm

Phone-Only Access: 518-549-0500
Access Code: 2333 247 6007
Password: 62810037

Those wishing to comment on any aspect of this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearing.

To participate electronically:

This option is for participants who would like to make a statement and who will log in to the virtual public statement hearing electronically. Such participants may log in at the date and time indicated above by visiting www.webex.com, clicking "Join a Meeting" at the top right-hand corner of the screen, entering the event number and password listed above, clicking "Join Meeting" and providing all requested information.

When logging in on the date and time of the hearing, participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require that participants enter their phone numbers.

To participate by phone:

This option is for participants who would like to make a statement and who will not be logging into the hearing electronically. On the date and time of the hearing, call-in

participants should dial **(518) 549-0500** and enter the access code and password listed above.

To listen to the hearing without making a statement:

To listen to the hearing by phone, call **(518) 549-0500** and enter the access code and password listed above.

All participants will be muted upon entry into the hearing. The ALJ will call on each person who requests to provide a statement to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Reasonable time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearing will be made for inclusion in the record of this case.

Persons with disabilities requiring special accommodations should call the Department'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 Department at 1-800-342-3377 for free language assistance services regarding this Notice.

Other Ways to Comment

For those who cannot attend or prefer not to present comments at the public statement hearing, there are several other ways to provide your comments. Comments should refer to Case "22-E-0400." **All comments must be received by October 10, 2024.**

Internet or Mail: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"),

enter "22-E-0400" in the "Search by Case Number" field, and then click on "Post Comments" located at the top right of the page.² Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.

All written comments will become part of the record considered by the Commission and 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.

Toll-Free Opinion Line: Individuals may 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 verbatim, but a summary is provided to the Commission.

PLEASE TAKE FURTHER NOTICE that a procedural conference will be held before ALJ Anthony Belsito immediately following the public statement hearing, as part of the same teleconference.

The principal purposes of the procedural conference are to identify any potential parties and provide interested persons an opportunity to present and explain any proposals regarding the procedures they believe should be followed in this case by the ALJ and Commission including, but not limited to, whether any issues of fact presented by the petition or public comments warrant an evidentiary hearing. Other procedural issues also may be addressed.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

² Electronic filing is strongly encouraged.