STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held in the City of Albany on September 17, 2026

COMMISSIONERS PRESENT:

Rory M. Christian, Chair
James S. Alesi
David J. Valesky
John B. Maggiore
Uchenna S. Bright
Denise M. Sheehan
Radina R. Valova

CASE 24-T-0446 - Petition of New York Transco LLC and New York Power Authority for a Certificate of Environmental Compatibility and Public Need, Pursuant to Article VII of the New York Public Service Law, to Construct, Operate, and Maintain an Approximately 89.7-Mile Underground Transmission Line through Suffolk, Nassau, Queens, Bronx, and Westchester Counties.

ORDER ADOPTING THE TERMS OF A JOINT PROPOSAL

(Issued and Effective September 17, 2026)

BY THE COMMISSION:

INTRODUCTION

In this Order, we adopt the terms of a Joint Proposal filed April 30, 2026, by New York Transco LLC and New York Power Authority (together, Applicant) and signed by trial staff of the New York State Department of Public Service (DPS Staff), the New York State Department of Environmental Conservation, the New York State Department of State, the New York State Department of Agriculture and Markets, the New York State Department of

Transportation (DOT),[1] the City of New York, the Long Island Commercial Fishing Association, and Cecelia McCann (collectively, Signatory Parties).

The Joint Proposal and associated appendices address all the statutory and regulatory issues surrounding Applicant's request for a Certificate of Environmental Compatibility and Public Need (Certificate) pursuant to Public Service Law (PSL) Article VII for authority to construct and operate the Propel NY Energy Project (the Project). As detailed in the Joint Proposal, the Project, which consists of approximately 90 miles of new underground transmission lines at both 138 and 345 kilovolts (kV) and connection to nine existing or new substations, is intended to, among other things, increase bulk transmission capability between Long Island and the rest of the State. As discussed in this Order, contrary to the position of the opposition parties, the proposed transmission project satisfies a public need and avoids or minimizes significant adverse impacts to the extent practicable given the state of available technology, the nature and economics of various alternatives, and all other pertinent considerations. Accordingly, we grant Applicant a conditional Certificate pursuant to PSL §121.

[1] DOT limits its support of the Joint Proposal to the provisions that address issues under its jurisdiction.

BACKGROUND

Procedural History

In June 2023, the New York State Independent System Operator (NYISO) Board of Directors (NYISO Board) selected the Project as "the more efficient or cost-effective transmission solution" to satisfy the Public Policy Transmission Need (PPTN) on Long Island (LI PPTN) that had been identified by the Public Service Commission (Commission) during a cycle of the NYISO's Public Policy Transmission Planning Process (PPTP).[2] On July 31, 2024, Applicant filed its application pursuant to PSL Article VII, with a motion requesting that the Commission waive certain regulations governing the content of the application. Additional application materials were filed by Applicant in January and February 2025. The Commission granted Applicant's motion for waiver of certain regulations in March 2025, and the Secretary deemed the application to be complete as of February 5, 2025. Applicant thereafter filed an initial notice and a second notice of impending settlement negotiations in March and April 2025, respectively, in accordance with Commission regulations.

After nearly one year of settlement negotiations among the parties,[3] which were assisted by two assigned Settlement Judges, Applicant filed the Joint Proposal on April 30, 2026. The Joint Proposal is supported by the Signatory Parties, as

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[2] NYISO Board of Directors' Decision on Approval of Long Island Offshore Wind Export Public Policy Transmission Planning Report and Selection of Public Policy Transmission Project (June 13, 2023), p. 5 (NYISO Board Decision); Cases 20-E-0497 et al., NYISO PPTN Proceeding for 2020, Order Addressing Public Policy Requirements (issued March 19, 2021) (LI PPTN Order), pp. 19-24; see NYISO Open Access Transmission Tariff (OATT), Attachment Y, §§31.4 et seq.

[3] The parties that participated in settlement discussions are identified in Table 1 of the Joint Proposal.

well as PSEG Long Island and the Long Island Power Authority (LIPA), jointly. The Joint Proposal is opposed by the Village of Sea Cliff (Village); North Shore Central School District (NSCSD), Roslyn Union Free School District (RUFSD), and Syosset Central School District (SCSD) (collectively, the School Districts); Gold Coast Business Association (GCBA); Glen Head-Glenwood-Greenvale Civic Council (Civic Council); Property Owners' Association of North Shore Acres (POANSA); Protect Our Coast Long Island, New York, Inc. (POCLI); the Self-Consolidated Parties (SCP);[4] Lori Ruggiero; Andy Ruggiero;[5] Daniel McAree; Joan Matthews; Jennifer O'Keefe Mahoney; Karen Yanelli; Maryann Hojnowski; Michael Batel; and Linda DelGaudio and Andy DelGaudio, jointly.

Public Outreach and Solicitation of Public Comment

As detailed in the Public Involvement Plan, Applicant engaged in significant public outreach efforts both prior to and after filing the application, including more than 75 information events within affected communities, informational mailings, online webinars, and a Project website.[6] In addition, the Secretary to the Commission issued two notices soliciting public comments, one in April 2025 and another in July 2025. Two virtual public statement hearings were held in April 2025, and four public statements hearings were held in July 2025, at which 179 speakers provided comments. After the Joint Proposal was filed, the Secretary issued a Notice of Joint Proposal and Opportunity for Public Comment seeking additional comments.

[4] The Self-Consolidated Parties include Douglas Augenthaler, John Laliotis and associated entities, Christine Panzeca, Matt Papiro and associated entities, and Rocco Romito.

[5] The Ruggieros are members of POCLI but chose to retain their individual party status.

[6] Application Appendix B.

Approximately 2,100 comments have been filed regarding the Project and the terms of the Joint Proposal.[7] There is significant support for the Project from private citizens and organizations from Nassau County and elsewhere, including various business organizations and Chambers of Commerce, labor unions, environmental conservation groups, green energy advocates, higher educational and research institutions, and local government entities and representatives. Their comments largely emphasize the need for grid modernization, the integration of clean energy to achieve state climate goals, job creation, and other economic benefits. Many of these organizations praise Applicant's willingness throughout the process to work with them and their constituents to address their concerns and make changes to the Project and comment that the Joint Proposal appropriately balances the concerns of local community residents with the statewide needs of the bulk electric system. Most supporters view the Project as vital for strengthening New York's electrical grid by bolstering reliability and enhancing resiliency, particularly as related to extreme weather events and growing energy demands.

Most comments in opposition to the Project come from residents of the affected communities, as well as local small business owners and some civic and community organizations, primarily based in Nassau County. These comments raise concerns regarding alleged health and safety risks posed by electric and magnetic fields (EMF), traffic problems, impacts on local businesses, impacts on local schools, environmental impacts, recreational limits in Hempstead Harbor, inconvenience due to construction, the level of Applicant's community engagement, and a perceived lack of transparency in the Article VII process.

[7] At the request of certain parties, the Secretary extended the deadline for public comments to July 17, 2026.

Many opponents raise opposition to battery energy storage, which is not a component of the Project. Opponents also opine that the Project has not been satisfactorily researched, and the Joint Proposal does not contain sufficiently clear requirements to adequately minimize the disruption that construction will have in their communities. Some point to the Commission's withdrawal of the New York City PPTN (NYC PPTN) and the cancellation of the planned offshore wind projects cited in the LI PPTN Order for support for their position that the Project is no longer needed.[8] Others highlight the NYISO's Market Monitoring Unit's Evaluation of the Long Island Offshore Wind Export Public Policy Transmission Planning Report from May 2023 (MMU Report).

Many parties to the proceeding also submitted comments, including individuals associated with the SCP and other party organizations who actively participated in the settlement efforts, as well as others who were granted party status but did not actively participate. All but one of these party comments raise concerns about the Project that are also raised in various statements in opposition to the Joint Proposal, which are addressed in this Order. The exception is the comment submitted by Iroquois Gas Transmission System, L.P. (Iroquois) in which Iroquois alleges that Certificate Condition 21, as proposed, would permit Applicant to violate Iroquois's property rights as the holder of an easement on property the Project is proposed to cross. Iroquois thus suggests the Commission "clarify" the Condition in a way that is more protective of its alleged property interest. The Administrative Law Judges (ALJs) denied the requests by Applicant and DPS Staff to strike Iroquois's timely filed comment, explaining that, as

[8] Case 22-E-0633, NYISO PPTN Proceeding for 2022, Order Withdrawing PPTN (issued July 17, 2025).

ALJs, they do not have the authority to exclude public comments from the record.

In a filing dated July 27, 2026, Applicant requests that the Commission give no weight to Iroquois's comments. That request is denied. The Commission expressly sought comments on the Joint Proposal, and no law or regulation prohibits parties from submitting comments in response to such solicitation. The Commission has the discretion to give comments whatever weight it deems appropriate in any given case. To the extent that Iroquois's comment suggests that the Commission has the authority to grant or modify property rights in an Article VII proceeding and requests such relief, Iroquois is mistaken.[9] The remainder of this comment has been given the same consideration as any other comment.

Description of the Project

Appendices A and B to the Joint Proposal provide a full description of the Project and its proposed corridor. Briefly, the Project consists of four primary components: the Submarine Cable, including a nine-mile crossing of the Long Island Sound; the underground Terrestrial Cable of approximately 80 miles (including land-to-land horizontal directional drill [HDD] crossings of the East River and Westchester Creek); the Substations, including new substations at Barrett Road, Shore Road, and Ruland Road; and the Transition Station in New Rochelle, which will be constructed underground beneath a parking lot.

[9] See, e.g., Case 15-T-0384, National Grid – Article VII Amendment, Order Granting Amendment of Certificate (issued September 18, 2015), p. 12.

LEGAL AUTHORITY

Pursuant to PSL §126, the Commission may grant a Certificate for the construction or operation of a major electric transmission facility if it determines the basis of the need for the facility and the nature of the facility's probable environmental impacts. The statute also requires the Commission to find that the facility avoids or minimizes to the extent practicable any significant adverse environmental impacts and that the facility avoids or minimizes to the extent practicable any significant adverse impact on active farming operations. Further, the Commission must find that the location of the facility as proposed conforms to applicable state and local laws and regulations, except those local provisions that, as applied to the proposed facility, are unreasonably restrictive considering existing technology, factors of cost or economics, or the needs of consumers. Finally, PSL §126 requires the Commission to determine that the facility conforms to a long-range plan for expansion of the electric power grid of the State and that the facility will serve the public interest, convenience, and necessity.

The Climate Leadership and Community Protection Act (CLCPA) requires, among other things, that the Commission (1) consider whether its "decisions are inconsistent with or will interfere with the attainment of" statewide greenhouse gas (GHG) emissions limits and (2) avoid decisions that "disproportionately burden disadvantaged communities."[10]

Finally, where, as here, the parties present a proposed settlement, the Commission's Procedural Guidelines for Settlements (Settlement Guidelines) require the Commission to consider whether the terms of the proposal are just and

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[10] L. 2019, ch. 106, §7(2), (3) (codified, in part, in PSL §66-p); ECL Article 75.

reasonable and in the public interest.[11] The following considerations pertain to that determination: whether the joint proposal is consistent with the law and regulatory, economic, social, and environmental State and Commission policies; whether the terms of the joint proposal compare favorably with the likely result of a fully litigated case and produce a result within the range of reasonable litigated outcomes; and whether the joint proposal provides a rational basis for the Commission's decision.

DISCUSSION

Based upon our review of the record, we find that the terms of the Joint Proposal satisfy the statutory criteria of both PSL §126 and the CLCPA and conform to the Settlement Guidelines. Accordingly, we grant Applicant's petition for a Certificate, subject to the Conditions identified in Appendix D to the Joint Proposal. Appendix J to the Joint Proposal contains findings proposed by the Signatory Parties to satisfy the statutory criteria of PSL §126. Inasmuch as those proposed findings are well-supported by the evidentiary record and are reasonable, they are incorporated by reference herein and are adopted as findings of the Commission. Discussion of motions to dismiss, objections raised by the parties opposing the Joint Proposal, and a motion for various relief follows below.

[11] Cases 90-M-0255 et al., Proceeding Concerning Settlement Procedures, Opinion No. 92-2 (issued March 24, 1992).

Motion to Dismiss

On July 30, 2026, the School Districts moved pursuant to 16 NYCRR §85-2.15[12] to dismiss the application, arguing that the evidentiary record does not allow the Commission to make the mandatory findings pursuant to PSL §126, particularly with respect to the Project's impacts to the School Districts. The Village, McAree, SCP, GCBA, and Civic Council each filed submissions supporting the School Districts' motion to dismiss. These filings simply state support for the School Districts' motion or make similar arguments regarding the record's alleged failure to identify and evaluate various impacts, including traffic-related impacts to business and EMF impacts.[13] On August 7, 2026, the Signatory Parties jointly filed opposition to the motion, arguing that the motion should be dismissed because it is procedurally defective and substantively flawed because the moving parties have not satisfied the legal standard.

For the reasons discussed throughout the Order, we find the record to be sufficient to determine the nature of the probable impacts of the Project and to determine that the Project avoids or minimizes those impacts to the extent practicable, as required by PSL §126. Therefore, the motion to

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[12] Under 16 NYCRR §85-2.15, "[w]henever it shall appear that the statutory requirements for a certificate cannot be met, the commission may dismiss the application and terminate the proceedings upon the motion of any party or staff counsel, or upon its own motion."

[13] Filings in Support of School Districts' Motion by the Village (filed July 30, 2026); McAcree (filed July 30, 2026); SCP (filed August 3, 2026); GCBA (filed August 7, 2026); and Civic Council (filed August 19, 2026).

dismiss the application, and any other request seeking similar relief, are denied.[14]

Settlement Process Complaints

Some parties argue that the settlement process was deficient. These arguments are unavailing. The Settlement Process commenced on March 28, 2025, when Applicant filed a notice of impending settlement negotiations (Settlement Notice).[15] This Settlement Notice, which scheduled an initial informational meeting for April 10, 2025 and an initial negotiation conference for April 24, 2025, was served on the party list. On April 3, 2025, after reviewing the Settlement Notice, the ALJs directed Applicant to serve the notice on all persons and entities identified in PSL §122(2)(a), and Applicant did so. The ALJs also directed Applicant to adjourn the informational meeting and first negotiation conference for at least three weeks to allow all interested parties adequate time to prepare for settlement. Accordingly, Applicant's second Settlement Notice, filed on April 7, 2025, rescheduled the informational meeting for May 1, 2025, and the first negotiation conference for May 15, 2025. Meanwhile, other ALJs had been designated Settlement Judges to oversee settlement negotiations.

As is reported in the Joint Proposal, of the 50 parties to the proceeding, 43 elected to participate in settlement discussions, and there were 23 full settlement meetings, with several breakout sessions, conducted between May and October 2025.[16] In addition, an electronic exchange of

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[14] See, e.g., Statement of POCLI, p. 5; McAree Motion for Targeted Additional Information, Limited Record Development, Residential Protections Conditions, Issue-Specific Findings, and Contingent Denial or Dismissal Relief (filed August 13, 2026).

[15] All documents referred to in this section are filed on DMM.

[16] Joint Proposal, pp. 6 n. 15, 11.

papers on the parties' positions regarding a few longer-lead settlement items occurred between November 2025 and April 2026, with breakout sessions noticed as needed during that time. An agreement in principle among the Signatory Parties was reached on April 10, 2026, after which the Signatory Parties worked to finalize the terms of and execute the Joint Proposal.

POCLI asserts that the settlement process "was fundamentally flawed" because the Settlement Notices were "impermissibly vague," did not provide adequate notice of the Project's route and design, and because "only 10 of 4[3] settlement parties" executed the Joint Proposal, among other reasons.[17] We reject these arguments. Per Rule 3.9(a)(2), the Settlement Notices were reviewed by the ALJs, who found them to substantively comply with the Rule. Further, contrary to the assertion by POCLI, the record demonstrates that Applicant properly noticed the new abutters of proposed route changes as required by PSL §122, and such notices were publicly posted on the DPS website. Moreover, the two Settlement Notices indicated that "discussions will encompass any and all issues concerning the issuance of the requested Certificate" and provided interested parties with clear instructions for how to participate.

In addition, contrary to POCLI's belief, the existence of opposition to the Joint Proposal does not affect the Commission's evaluation of the substantive terms memorialized therein. In considering whether to adopt the terms of any joint proposal offered by parties, the Commission's standard of review is whether the "proposed settlement is in the public interest."[18]

[17] Statement of POCLI, pp. 2-3. See also Statements of Batel, p. 4; A. Ruggiero, p. 4; Village, p. 3; and School Districts, pp. 38-39.

[18] Settlement Guidelines, p. 8.

Recognizing that opposition to joint proposals could occur, the Settlement Guidelines were designed to ensure that all parties, including those who do not ultimately join in the settlement agreement, are provided with a "fair and reasonable opportunity to develop issues and advocate positions," including an opportunity to oppose the settlement.[19] The record demonstrates that all parties were provided such opportunity in this case.

POCLI further argues that Applicant improperly relied upon the confidential nature of settlement in refusing to disclose the reasons for key concessions it made and threatened at least one party with sanctions for allegedly revealing confidential settlement information.[20] The Village similarly argues that Applicant's reliance on claims of confidentiality and what the Village alleges was a threat of sanctions "impaired the Village's ability to develop and present a complete record on issues central to the Commission's PSL §126 findings."[21] Matthews argues that the presiding ALJs should have been privy to the settlement discussions so that they could make accurate decisions.[22]

These arguments are not persuasive. First, Rule 3.9(d) requires all parties to "hold confidential such discussions, admissions, concessions, and offers to settle" that are made during settlement meetings. The fact that Applicant will not reveal which aspects of the confidential settlement discussions influenced its decisions to agree or not agree to certain terms of the Joint Proposal does not render the settlement process impermissibly secretive or otherwise

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[19] Id., pp. 6-7.

[20] Statement of POCLI, pp. 4, 14, and Exhibit B thereto.

[21] Statement of Village, p. 5.

[22] Statement of Matthews, p. 7.

improper. Providing the assigned ALJs with access to confidential negotiations would contravene Rule 3.9(d); the assignment of ALJs as Settlement Judges was done to avoid the complications that would arise if the presiding ALJs were privy to parties' confidential settlement positions.[23]

Finally, claims that Applicant threatened parties with sanctions are taken seriously. Here, however, these claims are unfounded. During post-settlement discovery, Applicant asserted the Village's disclosure of an email Applicant sent during settlement discussions may have constituted a breach of confidentiality and "note[d]" that ALJs could impose sanctions for violations of the settlement rules.[24] It is important to note that, as a general matter, applicants cannot impose sanctions upon parties in Commission proceedings. In this case, Applicant neither attempted to impose sanctions itself nor requested the ALJs to impose sanctions on the Village. Thereafter, the Village did not move to compel disclosure of the information it sought or otherwise pursue the issue, even though it had an opportunity to do so. Thus, contrary to the Village's claim, Applicant did not impair the Village's ability to develop the record.

<u>Other Process Complaints</u>

The School Districts complain that the ALJs did not ask the parties if they wanted to conduct cross examination at an evidentiary hearing.[25] However, as the School Districts acknowledge, the ALJs held a procedural conference on May 7, 2026, at which they asked each party to identify the nature of

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[23] See Settlement Guidelines, p. 18.

[24] Statement of Village, Exhibit B (Letter by Applicant, dated June 1, 2026).

[25] RUFSD Reply, pp. 23-24.

the issues each intended to raise in opposition to the Joint Proposal and discussed various post-Joint Proposal process options, including whether additional discovery should be permitted and the schedule for briefing. No party indicated that they believed an evidentiary hearing was required or expected to occur during this conference. In their May 12, 2026 Ruling on Process and Schedule, the ALJs confirmed that "no party ... requested an opportunity to cross-examine witnesses, claimed that issues of material fact exist in the record, or otherwise alleged that their objections would not be appropriately addressed through written submissions."[26] No party objected to that Ruling. Only in its reply filed June 26, 2026 – more than six weeks after the Ruling on Process and Schedule – did the School Districts raise the issue that a hearing was not held and, even then, did not request one. In any event, no party has demonstrated that a material issue of fact exists that would require an evidentiary hearing.[27]

To the extent that POCLI and McAree raise objections to Applicant's responses to other parties' discovery requests,[28] they lack standing. The Village raises concerns related to its belief that holders of grants of land underwater rights have not been adequately identified by Applicant,[29] but, as noted earlier, the Commission does not have jurisdiction over land use designation or property rights.[30] O'Keefe Mahoney and Matthews

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[26] Case 24-T-0446, Ruling on Process and Schedule (issued May 26, 2026), p. 2, n. 2.

[27] Case 19-T-0684, New York Transco – Article VII, Ruling on Procedural Schedule (issued October 19, 2020), pp. 10-12.

[28] Statements of POCLI, pp. 15-20, and McAree, pp. 7, 17.

[29] Statement of Village, p. 13.

[30] See, e.g., Case 15-T-0384, supra, Order Granting Amendment of Certificate, p. 12.

each contend that Applicant's efforts to engage with the affected communities have been inadequate and insufficiently noticed.[31] But neither party offers specific complaints or incidents, and their complaints are contradicted by the record and the Joint Proposal, which detail Applicant's public outreach efforts, as well as the public notices, hearings, and comment periods in this proceeding.[32]

Complaints Regarding the Environmental Management and Construction Plan (EM&CP)

Most of the parties who oppose the Joint Proposal assert some form of complaint that the Joint Proposal and proposed Certificate Conditions do not contain sufficient detail to enable a full assessment of the environmental impacts of the Project, with some suggesting that deferring the identification of specific impacts or mitigation measures to the EM&CP phase renders the evidentiary record incomplete. They assert that the Signatory Parties inappropriately rely upon the EM&CP phase to develop the final design plans and mitigation requirements intended to ensure environmental impacts are minimized to the extent practicable. These objections are without merit.

The record in this Article VII proceeding, including the application, Joint Proposal, proposed Certificate Conditions, and Specifications for Development of EM&CP, provides all necessary information to ensure that all statutory factors needed to issue a Certificate for the Project are satisfied. It is standard process in siting proceedings for the Commission to impose Certificate Conditions requiring the

[31] Statements of O'Keefe Mahoney, p. 2, and Matthews, p. 5.

[32] See, e.g., Joint Proposal, pp. 78-83.

development of an EM&CP for its review and approval.[33] Through the EM&CP process, the details of the site-specific protocols to be used to ensure that construction conforms to the approved Certificate Conditions are developed, subject to public comment and considered by the Commission before construction actually proceeds. The EM&CP process also enables more accurate identification of measures necessary to adequately address legitimate concerns as the Project reaches various construction milestones.[34]

Here, the proposed Certificate Conditions require Applicant to develop a multi-phased EM&CP in compliance with specifications and standards outlined in Joint Proposal Appendix E and as described in Appendix C. The proposed specifications appropriately require Applicant to provide details regarding the areas of concern raised by the opposition parties. Concerns include construction activities, site-specific remediation measures, and restoration plans related to impacted waterbodies, sensitive land uses such as schools and emergency services, construction noise and dust control, construction site supervision, EMF levels, submarine cable installation, and aquatic recreation impacts. The proposed Certificate Conditions and EM&CP specifications also adequately ensure that affected stakeholders and members of the public will have ample opportunity for involvement and comment throughout the EM&CP process prior to any Commission consideration of the EM&CPs.

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[33] See, e.g., Case 12-T-0158 (formerly Case 26251), National Grid - Amendments to CECPN, Order Granting Amendments (issued April 26, 2012), pp. 4-5.

[34] Case 91-E-0529, Central Hudson Gas & Electric – Article VII, Opinion and Order Granting Certificate (Opinion No. 95-6) (issued May 23, 1995), p. 11.

Basis of Need

We find that the Project is needed to maintain sufficient system margins, to maintain reliability in New York City and on Long Island, and to facilitate the public policy goals of the CLCPA.

Most of the parties opposing the Joint Proposal argue that the Project is not needed and that the Joint Proposal fails to provide sufficient justification for Commission approval. Multiple parties argue that the cancellation of several offshore wind projects subsequent to the Commission's identification of the LI PPTN and the NYISO's selection of the Project has eliminated the need for this Project, with many urging the Commission to cancel the LI PPTN, as it did with the NYC PPTN.[35] Two parties also refer to the MMU Report as support for their argument that the Project is not needed at this time because the benefits will not outweigh the costs for several years.[36]

We disagree. The MMU Report specifically states that the Project "fulfills the [PPTN] that was defined by the [Commission] and contributes towards meeting the goals of the [CLCPA]."[37] Its recommendation to the NYISO Board to delay selecting a transmission solution was based on its own cost-benefit evaluation of the proposed transmission projects, finding that the benefits might not outweigh the costs until

[35] Statements of A. Ruggiero, p. 4; GCBA, p. 9; POANSA, p. 2; O'Keefe Mahoney, p. 2; POCLI, pp. 20-24; and Village, pp. 15-16.

[36] Statements of GCBA, p. 11, and SCP, p. 13, n. 5. The MMU Report is attached as Appendix C to the NYISO LI Offshore Wind Export PPTP Report (LI PPTP Report). The LI PPTP Report and appendices are attached to the June 13, 2023, NYISO Board Decision, supra.

[37] MMU Report, p. x.

2040, particularly if non-transmission solutions could be developed, such as energy storage.

Further, the MMU Report is only one element of the multipart PPTP, and the NYISO Board specifically rejected the MMU's recommendation because "the Public Policy Process is designed to identify the 'more efficient or cost-effective' solution to transmission needs driven by important public policy considerations."[38] In making its selection, the NYISO Board considered a multitude of metrics, including expandability, operability, performance benefits, and procurement, permitting, and construction risks. Importantly, the NYISO Board concluded that the Project would add "a strong 345-kV backbone to the Long Island transmission system that will help serve Long Island load" as the generation mix continues to change in response to the public policies identified by the State.[39] Nothing in the

[38] NYISO Board Decision, p. 6, citing Case 19-T-0549, LS Power Article VII, Order Adopting Joint Proposal (issued January 21, 2021), p. 76.

[39] Id., p. 5.

record of this proceeding refutes those conclusions.[40]

Further, as is stated in the Joint Proposal and as was discussed more fully in the LI PPTN Order, the Commission already has found that the CLCPA constitutes a Public Policy Requirement driving the need for additional bulk electric transmission export capability from Long Island to New York City. While it is true that the pace of offshore wind energy generation development has slowed since the time that determination was made, contrary to the arguments made by some parties, the need for the Project continues to exist, despite this change in circumstance. First, more than 1,800 MWs of

[40] In August 2026, several parties unsuccessfully moved to reopen the evidentiary record to admit a declaration LIPA filed with the Federal Energy Regulatory Commission (FERC) in July 2026, which the moving parties here claimed directly contradicted the evidence of need for the Project. We agree with the assessment made by the ALJs in their ruling that the statements in the declaration are not inconsistent with the evidence in the record. See Case 24-T-0446, Ruling Denying Motions (issued August 27, 2026). The statements pertain to LIPA's assessment that the Project does not alleviate its need for firm import capacity from PJM Interconnection, Inc. to satisfy LIPA's installed capacity and electric energy requirements. See FERC Docket No. EL26-94-000, Declaration of Lucyna Khazanovich (filed July 27, 2026). In the LI PPTN proceeding, LIPA was among the interested parties that identified the CLCPA – not LIPA's imports from PJM – as driving a Public Policy Requirement, opining that at least one bulk transmission intertie was required between NYISO Zone K and Zones I and J (LI PPTN Order, supra, pp. 2-3, 9, 22-23). LIPA has maintained that position throughout this proceeding (see LIPA-PSEG LI Statement in Support, pp. 2-3). In addition, LIPA and PSEG LI state that the Project is "essential to meeting the current and escalating energy demands of the communities [they] serve" by expanding transmission capacity, reinforcing system reliability, and facilitating the delivery of electricity from various electric generation sources (Id., p. 3). The statement in the Khazanovich declaration that the Project does not alleviate LIPA's reliance on imports from PJM does not negate or preclude a finding of need for the Project.

offshore wind generation are already in operation or under construction, and these generation facilities require the increases to the bulk transmission system capability that the Project will provide if the full output of those facilities is to be efficiently transmitted from Long Island to areas of demand.[41]

Moreover, while some recent changes to the CLCPA have been made, the statutory targets to obtain 70 percent of electricity from renewable sources and to procure at least 9,000 MW of offshore wind generation were not modified, and the target that the statewide electric demand system be zero-emission by 2040 similarly remains in place,[42] as does the LI PPTN. The legislatively imposed mandates of the CLCPA will not be achieved without a robust, modernized transmission system.[43] This Project is therefore required to fulfill the Public Policy Requirement identified in the LI PPTN and to enable the State to continue to

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[41] South Fork Wind (132 MW) is in operation. Empire Wind 1 (810 MW) and Sunrise Wind (924 MW) are under construction and are expected to be operational in 2028. See NYISO, 2026 Load & Capacity Data (Gold Book), p. 141.

[42] See PSL §66-p(2). As part of the Commission's ongoing efforts to achieve the statutory mandates, in February 2026 we approved the Offshore Wind Implementation Plan proposed by NYSERDA. Case 18-E-0071, Matter of Offshore Wind Energy, Order Approving Offshore Wind Implementation Plan (issued February 13, 2026). Further, NYSERDA issued a Request for Information (OSWRFI26-2) on August 17, 2026, seeking feedback on a proposed limited-term plan to provide funding to support offshore wind project predevelopment activities that could, among other things, "preserve existing project investments, maintain critical development activities, and reduce development timelines."

[43] See Accelerated Renewables Act §2(2)(b); Case 15-E-0302, Large-Scale Renewable Program and Clean Energy Standard Proceeding, Order Adopting Clean Energy Standard Biennial Review as Final and Making Other Findings (issued May 15, 2025), p. 8.

procure and develop resources needed to meet the CLCPA targets. Further, as the Commission has previously recognized, these targets are not limited to a specific generation resource. Rather, resource diversity, together with the transmission infrastructure to support it, are vital parts of a comprehensive approach to a modern electric system built to meet increased electricity demands associated with economic development and electrification of the buildings and transportation sectors, while preserving the reliability of the electric system and supporting the State's economy.[44]

Finally, as DPS Staff and Applicant note, the NYISO continues to recognize a reliability need for the Project. Multiple recent assessments identify growing reliability risks resulting from retiring generation, increasing demand, and transmission constraints.[45] The NYISO consistently has warned that decreasing reliability margins would be exacerbated without the timely completion of planned transmission projects, including this Project, which more than doubles Long Island's import capability and will significantly increase reliability.[46]

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[44] Case 19-T-0684, supra, Order Adopting Joint Proposal (issued February 11, 2021), p. 66.

[45] Joint Proposal, pp. 18-19.

[46] These include the NYISO's Short-Term Assessment of Reliability (STAR) reports for: 2026 Quarter 2 (July 14, 2026); 2026 Quarter 1 (April 15, 2026); and 2025 Quarter 4 (January 13, 2026). Additionally, in its 2025-2034 Comprehensive Reliability Plan, issued in November 2025, the NYISO warned that a delay of the expected in-service date of the Project would have a "significant impact" on "the transmission security margins" in New York City and on Long Island. Id., p. 46. See also Exhibit E-4, p. 11.

Probable Environmental Impacts

The probable environmental impacts associated with the Project are identified in detail in Exhibit 4 of the application,[47] as revised. The Signatory Parties contend that the terms of the Joint Proposal, including the proposed Certificate Conditions, ensure that these impacts have been avoided or minimized to the extent practicable. In addition, the construction, maintenance, and decommissioning of the Project will be subject to an EM&CP that needs to be approved by the Commission, specifications for which are included in Appendix E to the Joint Proposal.

No party has raised in opposition to the Joint Proposal any specific issue regarding visual impacts or impacts to existing land use; cultural and historic resources; vegetation, terrestrial wildlife, and other terrestrial resources; agriculture and farming; operational noise; invasive species; or communications systems and airports. In our view, the terms of the Joint Proposal, together with the Certificate Conditions and the terms of the EM&CP, which must be approved by the Commission, are sufficient to support the finding that significant adverse environmental impacts as to the above uncontested categories will be avoided or minimized to the extent practicable.

Various parties argue that the terms of the Joint Proposal are not sufficient to adequately mitigate impacts on Hempstead Harbor, construction noise along the Project route, operational EMF levels, and transportation impacts primarily caused by traffic during construction and consequential economic impacts to local businesses. These arguments are addressed below.

[47] See Exhibit 7 of Evidentiary Record.

1. Hempstead Harbor

We find that the Project, if constructed and operated in compliance with the terms of the Joint Proposal and accompanying documents, including the proposed Certificate Conditions, will minimize significant impacts to Hempstead Harbor and other water bodies and resources to the extent practicable. Several parties opposing the Joint Proposal argue that its terms fail to sufficiently address impacts to Hempstead Harbor, with some arguing that the extent of the impacts can be determined only once Applicant provides additional details regarding issues such as final cable locations and submarine design.[48] Some parties argue that the Joint Proposal does not contain sufficient safeguards for recreational activities and for monitoring and restoring the ecology of the Harbor.[49] At least one party claims that the Joint Proposal contains more provisions intending to protect the marine environment than to protect onshore areas and people.[50]

Parties arguing against the Joint Proposal do not provide any evidentiary support for their positions, such as studies or expert analysis. Inasmuch as these arguments are otherwise unsupported by the evidentiary record, we find the arguments to be without merit. Contrary to the arguments raised by the parties opposed to the Project, the evidentiary record contains a full assessment of the potential impacts to Hempstead Harbor.[51] The record establishes that Applicant performed

[48] Statements of McAree, pp. 13-14, and Village, p. 12.

[49] Statements of POANSA, p. 2; O'Keefe Mahoney, p. 2; McAree, pp. 15-16; and Village, pp. 10-14.

[50] Statement of Yanelli, pp. 3-4.

[51] Application Exhibits 4 (as revised and supplemented) and E-6 (Marine Navigation).

numerous studies evaluating existing conditions in the Harbor[52] and provided detailed models and assessments of potential impacts related to the proposed installation and maintenance activities.[53] Applicant also provided a Coastal Zone Consistency Assessment, which concluded that construction, maintenance, and operation of the Project are not expected to significantly impede or otherwise limit water-dependent uses.[54]

Further, the Joint Proposal includes more than 25 Certificate Conditions related to pre-construction, installation, and post-construction activities regarding Hempstead Harbor, as well as other waterbodies and related resources, including protected and economically important species. The proposed Certificate Conditions contain numerous restrictions and requirements aimed at minimizing any impacts, including limited construction windows, species-related work restrictions, mariner and multiple other public notification requirements, submarine cable installation and site-preparation requirements, cable installation depth requirements, and post-construction inspection, monitoring, and mitigation requirements.[55] Another proposed Certificate Condition requires Applicant to conduct jet plow trials, including real-time testing of water quality, to ensure that water quality standards are maintained during installation of the marine cables.[56] The proposed certification conditions also mandate employing five individual independent monitors for oversight of the Project,

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[52] Application Exhibit 4, pp. 4-52 to 4-53 (Marine Archeological) and 4-99 to 4-115 (Physical and Chemical Conditions).

[53] Id., pp. 4-117 to 4-122.

[54] Id., Appendix B.

[55] Joint Proposal, Appendix D, Proposed Certificate Conditions 73-88 and 131-142.

[56] Id., Proposed Certificate Conditions 190 and 191.

including a full-time environmental monitor that is required to be on site during all construction activities including all in-water work.[57] The Joint Proposal also provides for strict monitoring protocols, including real-time turbidity monitoring and water sampling.[58] There is also a requirement mandating immediate reporting of any exceedances and corrective action within 24 hours.[59] Further, Applicant must restore the benthic habitat to its pre-construction condition.[60]

Arguments that alternative routing would completely avoid or minimize impacts to Hempstead Harbor are similarly rejected. Applicant considered alternative routes and installation methods that would avoid impacts to Hempstead Harbor, but those alternatives are not preferred for the reasons discussed below. In addition, the EM&CP will detail procedures to be followed, and restoration and mitigation measures to be employed, in areas of wetlands and other water bodies.

In short, the Village is incorrect in claiming that this issue has not been addressed. While the Village and others may believe that more should be done to avoid or minimize the identified impacts to Hempstead Harbor, they fail to offer any evidence that contradicts the evidence in the record, such as expert testimony or studies. We find the evidentiary record more than adequate to conclude that the measures identified in the Joint Proposal are reasonable to minimize significant impacts to Hempstead Harbor

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[57] Id., Proposed Certificate Condition 116.

[58] Id., Proposed Certificate Conditions 176 and 177.

[59] Joint Proposal, pp. 43-46.

[60] Id., Appendix D, Proposed Certificate Condition 208.

and other water bodies and resources to the extent practicable.

2. Construction Noise

We find that the Project, if constructed and operated in compliance with the terms of the Joint Proposal and accompanying documents, including the proposed Certificate Conditions, will minimize significant impacts related to noise to the extent practicable. Initially, as stated earlier, no party raises specific concerns about noise impacts associated with operation of the Project, and we find that the terms of the Joint Proposal appropriately minimize such impacts. Specifically, the Joint Proposal imposes, among other things, strict noise limits outside all residential and commercial properties, requires the submission of final sound level modeling prior to construction, and, after construction, requires at least one sound compliance test for each substation.

Several parties raise concerns about noise that will occur during Project construction, with some specifically concerned that the provision limiting the hours for daytime construction near schools will require nighttime construction activity, resulting in sleep disturbances for residents living in those areas.[61] Parties also argue that the Joint Proposal fails to mitigate construction noise impacts to residents and students along the route, with the School Districts arguing that construction near schools should occur only when school is not in session.[62]

We recognize that construction of the Project will cause residents to be temporarily exposed to noises commonly

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[61] Statements of A. Ruggiero, pp. 3-4; DelGaudio, pp. 3-4; Matthews, p. 7; and Hojnowski, p. 2.

[62] Statements of A. Ruggiero, p. 3; NSCSD, pp. 32-34; RUFSD, pp. 31-33; and SCSD, pp. 31-33.

associated with construction activity.[63] These noise impacts are unavoidable.[64] However, we are satisfied that the terms of the Joint Proposal will ensure that those impacts are minimized to the extent practicable. Detailed construction schedules will be provided to DPS Staff, affected school districts, and others for review and comment prior to the Commission's consideration of the applicable EM&CP phases.[65]

Construction is generally limited to daytime hours, but nighttime work is permitted when necessary or in non-residential areas to minimize other, non-noise impacts such as traffic.[66] If nighttime work is to occur, the impacted municipalities, adjacent landowners and businesses, and DPS Staff must be given at least 24 hours' notice, except in emergencies or for activities requiring continuing operations.[67] During the day, to minimize impacts on local schools, the Joint Proposal imposes a four-hour per day work period for work within 300 feet of school buildings if school is in session, and the construction schedule must be coordinated with affected school districts.[68]

Where construction noise impacts cannot be mitigated through scheduling and coordination, additional efforts are required to further minimize the negative impacts to the extent practicable. For each EM&CP phase, the Joint Proposal requires

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[63] Exhibit 4, pp. 4-199 to 4-224.

[64] Case 06-T-0710, Consolidated Edison Company of N.Y. – Article VII, Order Granting CECPN (issued August 23, 2007), p. 20 ("It is not possible to build a transmission facility without subjecting the communities to the attendant noise, traffic and land use impacts.").

[65] Joint Proposal, Appendix D, Proposed Certificate Condition 50.

[66] Id., Proposed Certificate Condition 68.

[67] Id., Proposed Certificate Condition 71.

[68] Id., Proposed Certificate Condition 66.

a separate Construction Noise Control Plan (which will identify construction noise controls, mitigation measures, work-hour restrictions, and monitoring approach, where applicable), imposes notice and approval requirements, establishes complaint response procedures, and identifies adaptive mitigation measures applicable to the work covered by that EM&CP. For nighttime, extended hours, or continuous work, the EM&CP must include the enhanced noise mitigation measure it will employ during these activities.[69] The Joint Proposal also requires submission of a Complaint Management and Resolution Plan that will provide details regarding submitting, tracking, and responding to noise-related complaints in a timely and diligent manner.[70]

Given the various conditions, restrictions, and requirements for coordination and mitigation measures in the Joint Proposal, we find that impacts related to construction noise will be minimized to the extent practicable and are unlikely to disrupt indoor activities, including classroom instruction and other educational activities.

3. Electric and Magnetic Fields

The Commission requires that the magnetic fields level of an electric transmission line, as measured at the edge of the Project ROW one meter above the ground, not exceed 200 milligauss (mG) when the circuit phase currents are equal to the winter-normal conductor rating.[71] The results of the magnetic field study for the Project demonstrate that operation of the

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[69] Id., Proposed Certificate Condition 68; Joint Proposal, Appendix I.

[70] Joint Proposal, Appendix D, Proposed Certificate Condition 57.

[71] Cases 26529 et al., Proceeding on Motion of the Commission as to Regulations Regarding Electric and Magnetic Field Standards for Transmission Lines, Statement of Interim Policy on Magnetic Fields of Major Electric Transmission Facilities (issued September 11, 1990) (Magnetic Fields Policy), p. 9.

Project will comply with the magnetic fields limit and that there will be no change to existing electric field levels because the cables will be located underground.[72]

The terms of the Joint Proposal, including proposed Certificate Condition 20, require the Project to be operated in compliance with the limits for electric and magnetic fields.[73] To address concerns raised by some parties, Applicant agreed to the inclusion of additional requirements in the Joint Proposal, namely: it will conduct, among other things, additional studies to assess the magnetic fields impact on benthic resources and fisheries; conduct post-construction magnetic field modeling using as-built drawings at maximum conductor (i.e., winter-normal) rating; and conduct four magnetic field measurements across the Project, with at least one location transecting a splice vault.[74] If as-built modeling or in-field measurements indicate compliance concerns, proposed Certificate Condition 20 requires DPS Staff to promptly convene a conference to discuss what remedial actions may be necessary.

In addition, in response to the concerns raised in the statements opposing the Joint Proposal, Applicant agrees that "in locations where two parallel Project circuits will be installed, the Project will be constructed to implement optimized phasing configurations" to reduce magnetic field levels "to the lowest levels reasonably practicable, subject to system reliability, constructability, and operational

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[72] Application Exhibit 4, Appendix K (Magnetic Field Simulation Report). Because the Project will be located entirely underground, the magnetic field report does not also evaluate electric fields. Id., pp. 2-3.

[73] Joint Proposal, p. 60.

[74] Joint Proposal, p. 61, and Appendix D, Proposed Certificate Conditions 20, 133-142.

requirements."[75] This commitment, as set forth in the affidavit of Stephen Cole-Hatchard, Jr., is hereby adopted as a term and condition of the Certificate.

In establishing the magnetic fields policy, the Commission relied upon, among other things, the results of a statewide study that revealed that the average magnetic fields level at the edge of ROWs for 83 overhead 345-kV transmission circuits, at winter-normal conductor ratings, was about 200 mG.[76] Transmission circuits operate at a winter-normal conductor rating "less than 0.1% of the time." The study revealed that, under normal operating conditions, the magnetic fields level at the edge of a typical ROW for overhead 345-kV transmission lines was under 55 mG 99% of the time, and under 45 mG 90% of the time. For underground 345-kV lines, the magnetic fields level measured one meter "directly above" the line was "on the order of 1 mG ... during normal power flow."[77] Despite the significant difference in levels between normal operating conditions and the most extreme conditions, as well as the difference between overhead and underground levels, the Commission chose the winter-normal conductor rating as the baseline assumption for all transmission line magnetic fields modeling because it would ensure that the models produced the maximum magnetic field that a circuit could ever sustain continuously.[78] In other words, the Commission chose a conservative, worst-case scenario for its magnetic fields requirement.

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[75] Affidavit of Stephen Cole-Hatchard, Jr., submitted by Applicant as Evidentiary Record Exhibit 49 with its Reply Statement.

[76] Magnetic Fields Policy, pp. 3, 6-7.

[77] Id., p. 4.

[78] Id., p. 3.

Some parties suggest that the 200-mG limit for magnetic fields is out of date, but no party identifies an alternate exposure limit that allegedly would be more appropriate. Nor does any party provide evidence that there has been a "significant change in the body of knowledge" that calls into doubt the adequacy of protection provided by the 200-mG limit.[79] Rather, the parties generally mention or refer to various policies, guidance, or unidentified studies to support broad claims that magnetic fields pose a threat to human health.[80]

We note that there are no federally or state-established health standards for exposure to the type of low-frequency magnetic fields associated with electric transmission lines. In the years since the Commission adopted its magnetic fields policy, the scientific community has not identified conclusive data regarding, or come to a consensus on, the possible health effects of long-term exposure to electric and magnetic fields, particularly in the higher radiofrequency range. However, in 2007, the World Health Organization (WHO) concluded that the 1,000 mG exposure limit for low-frequency (up to 100 kHz) magnetic fields recommended by the International Commission on Non-Ionizing Radiation Protection (ICNIRP)

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[79] Id., p. 8.

[80] Statements of Yanelli, pp. 4, 8-9, and Matthews, p. 3. The documents referred to are not appended to the Statements, nor were they proffered by these parties for inclusion in the evidentiary record. In any event, as DPS Staff asserts in its Reply Statement (pp. 30-31), the documents identified by the parties are not binding authority. We decline to give them any weight, particularly given that they appear to refer to concerns regarding overhead transmission lines, not underground lines such as the Project.

provided adequate protection for public exposure.[81] Thus, contrary to the suggestions by some parties, the Commission's 200-mG limit for magnetic fields remains consistent with - and significantly more conservative than – current scientific guidance.

Based on the foregoing, we find some parties' claims that the issue of magnetic fields has not been adequately considered or addressed in the Joint Proposal, as well as claims that the Project does not comply with applicable standards, to be unsupported by the record.[82] Moreover, we are satisfied that the terms of the Joint Proposal and the Certificate Conditions, together with Applicant's recent commitment to optimize phase configurations in certain locations, are sufficient to ensure that the Project will be constructed and operated in compliance with the Commission's standards for magnetic fields.

4. Impacts to Transportation

The operation of the Project is not expected to have any permanent impacts on transportation, but construction will cause intermittent, temporary impacts to traffic along the Project corridor. However, we find that if constructed and

[81] WHO, Environmental Health Criteria 238, Extremely Low Frequency Fields (2007), pp. 355, 372. After further study, the ICNIRP increased its recommended exposure limit to 2,000 mG in 2010, finding that "there is no compelling evidence" that any chronic adverse health effects "are causally related to low-frequency EMF exposure." ICNIRP, Guidelines for Limiting Exposure to Time-Varying Electric and Magnetic Fields (1Hz-100kHz) (2010), p. 818. The WHO also stated that compliance with the exposure limit of about 9,000 mG that was recommended by the Institute of Electrical and Electronics Engineers (Standard C95.1) would be protective.

[82] See Statements of A. Ruggiero, pp. 1-2; GCBA, pp. 7-8; Hojnowski, pp. 4-5; O'Keefe Mahoney, pp. 2-3; Yanelli, pp. 6-7; DelGaudio, p. 5; and Matthews, p. 3. The statements in opposition filed by the School Districts discuss magnetic fields variously. See, e.g., RUFSD, pp. 15-17, 35, 37.

operated in compliance with the terms of the Joint Proposal and accompanying documents, including the proposed Certificate Conditions, significant impacts to traffic and other forms of transportation will be minimized to the extent practicable.

Traffic impacts during construction are a major concern for many of the parties opposing the Joint Proposal.[83] Some of the opposing parties argue that the Project will unduly impact Glen Cove Road, Glen Cove Avenue, and Glenwood Road, roadways which they characterize as the primary routes in and out of their communities.[84] Some suggest that other routes would be less impactful to traffic, and many argue that without more specific information regarding current traffic conditions and planned traffic management plans, it is impossible to understand what the impacts will be or that they have been appropriately addressed.[85] Concerns about traffic impacts near schools and school administration buildings are also raised.[86]

The opposing parties' arguments are not supported by the record, which contains extensive traffic analysis, including existing conditions, potential impacts related to project construction, and multiple management measures and strategies to minimize impacts. That information is detailed and thorough, including specific analysis of impacted intersections, routing and installation method considerations, and other mitigation

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[83] See, e.g., Statements of Ruggiero, p. 4; DelGuadio, pp. 3-4; and GCBA, p. 3.

[84] Statements of Civic Council, pp. 2-3; O'Keefe Mahoney, p. 1; Batel, p. 2; and POANSA, pp. 2-4.

[85] Statements of SCP, pp. 3-6; McAree pp. 6-8, 10-11; Matthews, p. 3; Hojnowski, pp. 2-3; NSCSD, pp. 11-15; RUSD, pp. 11-15; SCSD, pp. 11-14; POCLI, pp. 10-12; SCP, pp. 6-8; and Village, p. 3.

[86] Statements of McAree, pp. 16-17; NSCSD, pp. 18-28; RUSD, pp. 18-28; and SCSD, pp. 17-23.

measures.[87] Indeed, Applicant's traffic analysis specifically addresses issues raised in opposition, including "commercial activity" and "conflict with school activities, disruption to school bus access, and reduced accessibility for residents."[88]

The Joint Proposal and proposed Certificate Conditions also contain several provisions that will ensure traffic impacts are minimized. The proposed route avoids numerous of the most congested intersections and commercial transportation corridors, and trenchless crossing will be implemented in various locations where maintaining continuous traffic flow is critical.[89] The proposed Certificate Conditions require Applicant to minimize the duration and extent of open excavation and traffic disruptions. They also require that Applicant submit a Maintenance and Protection of Traffic (MPT) Plan that must conform with national standards, as well as those specific to New York. Applicant will also be required to coordinate with impacted school districts and include the results of such in the MPT Plan. Notably, safe access to all school buildings and school property for vehicular and pedestrian traffic must always be maintained, and residential access must be restored within 15 minutes of a good-faith request for immediate access.[90]

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[87] See Application Revised Exhibit E-6 (Effect on Transportation) (February 2025); Evidentiary Record Exhibit 42 (Traffic Analysis for 1T to 5T Trenching Construction Condition in Support of Construction Permitting) (indicating the traffic analysis including extensive location screening, traffic count, field observations, and inventories of roadway characteristics); Evidentiary Record Exhibit 43 (Traffic Analysis for the Areas Adjacent to and Surrounding the National Grid Facility, Glenwood Landing, NY 11547).

[88] Evidentiary Record Exhibit 42, p. 4-1.

[89] Joint Proposal, p. 50; see Application Exhibit E-6, pp. E-6-5 to E-6-7.

[90] Joint Proposal, Appendix D, Proposed Certificate Conditions 39 and 66.

Consultation with all other appropriate entities, including DOT and local highway departments, regarding the MPT plan is also required.[91]

Applicant will also be required to submit a Highway Work Plan, including estimated schedules for sequencing and durations of various construction activities.[92] Proposed Certificate Condition 67 limits duct bank installation work north of Northern Boulevard to only one of three roads at once (Glen Cove Avenue, Glen Head/Glenwood Road, and Cedar Swamp Road). Unless otherwise necessary for safety purposes, Applicant will be mandated to maintain continual pedestrian and vehicle use within roadways and regularly consult with local officials regarding traffic and emergency vehicle access.[93] The proposed Certificate Conditions also address parking of construction equipment and workers' vehicles to ensure that they do not negatively impact traffic.[94]

The adverse impact that construction will have on traffic is generally known, and the need to minimize this impact is well understood. Further, we recognize that even with the extensive efforts summarized above, some adverse traffic impacts to business and residents are still expected. However, we have fully considered these impacts and agree with the Signatory Parties that they have been minimized to an extent practicable. Municipalities, schools, and businesses will be notified of upcoming construction schedules, and Applicant will cooperate to minimize and mitigate the traffic impacts for the duration that the Project remains active in the vicinity of the local

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[91] Id., Proposed Certificate Condition 39.

[92] Id., Proposed Certificate Condition 102.

[93] Id., Proposed Certificate Condition 95.

[94] Id., Proposed Certificate Conditions 92 and 115.

establishments, as required by the proposed Certificate Conditions.

Similarly, although the Project will traverse areas with marine traffic, including commercial, commuter, and recreational vessels, the siting of the Project, the requirements of the Joint Proposal, and the proposed Certificate Conditions will ensure that impacts to marine transportation will be avoided or minimized to the extent practicable during construction and operation of the Project. The Project will not be installed in a federally designated navigation channel, is sited to avoid and minimize anchoring conflicts with commercial vessels, and will implement a smart buoy system to help inform mariners of the location of the facility.[95] Further, the marine cables must be buried deep enough to reduce the risk of interacting with anchors and fishing gear.[96] Proposed Certificate Conditions also require Applicant to notify and coordinate with appropriate stakeholders regarding in-water activities to ensure all in-water activities are conducted in a way that minimizes interference with navigation and recreational uses of impacted water bodies.[97] And the Project is not expected to have significant adverse impacts on other modes of transportation such as rail and air.[98]

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[95] Evidentiary Record Exhibit 39.

[96] Joint Proposal, Appendix D, Proposed Certificate Condition 77.

[97] Id., Proposed Certificate Conditions 23, 50(f), 58, 78, 85, and 131.

[98] See Exhibit E-6.

Consideration of Alternatives

The Signatory Parties recommend the Project routes for the six transmission line segments as described in Appendices A and B to the Joint Proposal. Several supplemental filings illustrate changes that ultimately became part of the proposed route.[99] The second revision of Exhibit 3 of the application contains an analysis of the alternative routes and technologies considered.[100] The record demonstrates that Applicant considered multiple alternative routes for each segment of the Project, in addition to several alternative approaches, to fulfil the LI PPTN, including a non-wires alternative and installing the transmission lines overhead rather than underground. The Joint Proposal states that the proposed routes were selected to minimize impacts to wetlands, traffic, residents, businesses, maritime industries, recreational uses and resources, and sensitive resources, while still satisfying the goals of the Project.

Some opposing parties argue that Applicant failed to thoroughly consider alternatives that, in their view, would have fewer impacts to residents, particularly with respect to traffic, and that the route selection process should have emphasized local impacts over considerations related to engineering and cost.[101] POANSA argues that a route along the western shore of Hempstead Harbor would further minimize impacts

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[99] Joint Proposal, pp. 69-71. All additional filings appear on DMM, including a Nassau County route supplement filed on June 25, 2025, a New Rochelle supplement filed on July 23, 2025, and a route supplement for the Villages of Garden City and Mineola filed on February 13, 2026.

[100] The first revision to Exhibit 3 was filed on April 7, 2025, and the second revision was filed on May 8, 2025.

[101] Statements of Village, p. 2; McAree, pp. 14-15; Civic Council, p. 2; NSCSD, pp. 28-29; and RUFSD, p. 20.

to the harbor and such an alternative should have been considered.[102] The SCP argue that an alternative originally considered in the application that would run along Bryant Avenue and Motts Cove Road (Motts Cove Alternative) would result in fewer impacts compared to the preferred route because the Motts Cove Alternative is shorter, passes by fewer residences, and avoids a business district and major traffic routes.[103]

These arguments are misguided and unsupported by the record. The record is clear that Applicant thoroughly considered numerous alternative routes for each segment of the Project, including alternative landfalls and marine and terrestrial routes. The application, as supplemented, includes diagrams and comprehensive explanations of the alternatives, including why each was considered and why each was retained or rejected.[104] Applicant also provided a detailed explanation of the screening criteria and technical guidelines it utilized in its selection process. Among the considerations weighed were the location of the existing substations; impacts on residences, schools, hospitals, and natural resources; the minimization of utility crossings; as well as considerations of cost, constructability, and operations and maintenance.[105]

The opposing parties' arguments supporting alternative routes that they claim would minimize selected impacts improperly ignore the remainder of the route-selection considerations, including any impact outside the parties' area of concern, legitimate design constraints, and cost impacts. For instance, contrary to some parties' claims, a number of

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[102] Statement of POANSA, p. 3.

[103] Statement of SCP, pp. 4-6.

[104] Application, Second Revised Exhibit 3, pp. 16–57.

[105] Id., pp. 11-13.

alternatives were considered to avoid or further minimize impacts to Hempstead Harbor, but those routes were rejected due to considerations such as space constraints, community impacts, project length, land rights, and design complexity.[106] Similarly, arguments that the Motts Cove Alternative is preferrable fail to address the fact that such alternative is likely to increase not only traffic congestion and overall community impacts, but also the Project's total cost and design complexity.[107] None of the identified alternatives would avoid causing the types of disruptive community or environmental impacts the opposing parties have identified; the alternatives would simply disrupt other communities than the ones in which the opposing parties live. It would simply not be possible to construct the Project without causing environmental and community impacts. However, we are satisfied that these impacts have been adequately identified and the measures proposed will reduce or minimize disruptions to the affected communities to the extent practicable.

We find that the Project as proposed and described in Appendices A and B to the Joint Proposal is preferable to any of the alternatives considered. The selected routes will minimize environmental impacts, including those to traffic, residents, businesses, maritime and recreational activities, and significant and sensitive resources, while still fulfilling the LI PPTN. Other alternatives, including installing the Project overhead or a no-action alternative, either would increase impacts or would not meet the requirements of the LI PPTN and CLCPA policy goals, including the goals of improving system

[106] Application, Second Revised Exhibit 3, pp. 48-57.

[107] Id., pp. 28-29.

margins and maintaining electric system reliability in New York City and on Long Island.

Conformance with Long-range Plan for the Electric System

As explained above, the record demonstrates that the Project conforms with both the NYISO requirements and the State's long-range plan for the bulk electric system.[108] In addition, the NYISO continues to identify the Project as among new infrastructure projects that it considers to be necessary to maintain the reliability, flexibility, and operability of the State's electric system.[109]

Local Laws

The Signatory Parties assert that the Project will comply with all applicable State and local laws except those local laws Applicant has requested that the Commission not apply on the basis that the provisions are unreasonably restrictive in view of the existing technology, or factors of cost, economics,

[108] Joint Proposal, pp. 71-75.

[109] See, e.g., 2025-2044 System & Resource Outlook (July 22, 2026), pp. 19-20 (The NYISO includes the Project in its "base case" transmission assumptions for future transmission planning purposes); 2026 Quarter 2 STAR (July 14, 2026), pp. 10, 40 (finding that reliability margins on Long Island will shrink until the Project is in service and that Long Island likely would be deficient starting in 2031 without the Project); 2026 Power Trends Annual Grid & Markets Report (June 9, 2026), p. 11 (describing the Project as "a key solution to address [transmission] limitations by expanding transfer capability by at least 3,000 MW between Long Island and the rest of the state"); 2025-2034 Comprehensive Reliability Plan (November 21, 2025), pp. 9, 46 (concluding that the Project is among those considered to be "foundational to the state's future grid" and finding that the Project "will increase the import capability into Long Island from upstate by about 1,300 MW").

or the needs of consumers. Application Exhibit 7, as revised,[110] identifies every substantive local law potentially applicable to the Project and the affected municipalities. The provisions generally relate to, among other issues: noise restrictions that limit the time construction is permitted; the size and weight of vehicles permitted on local roads, which would preclude the use of certain construction equipment; requiring the use of locally licensed electricians, plumbers, collectors of refuse or other solid waste, and gardeners; limits for amounts of and time-of-year restrictions regarding topsoil removal and pit excavations; minimum setback requirements and maximum floor area provisions that cannot be addressed by design changes to the Project; restrictions on signage and fencing that would hinder Applicant's ability to secure the site and warn the public of certain hazards; restrictions on anchoring and moorings of vessels, which would impede or prohibit underwater construction activities; restrictions and prohibitions regarding the stopping or parking of vehicles on certain streets, as well as prohibitions regarding idling vehicles, all of which would be impossible to avoid during construction; and restrictions regarding exterior lighting, which would prevent Applicant from adequately illuminating the site for the protection of life and property.

No affected municipality has opposed Applicant's claim that compliance with the identified provisions would be

[110] References to Exhibit 7 herein refer to the version that was filed by Applicant contemporaneously with the Joint Proposal on April 30, 2026, identified on DMM as "Further Revised Exhibit 7."

unreasonably restrictive.[111] Insofar as compliance with these local laws would be technologically impossible, unsafe, or impracticable from a cost and economics perspective, or the local law is otherwise unreasonably restrictive, the waiver requests contained in Revised Exhibit 7 are granted.[112]

CLCPA

Approval of the requested Certificate is not inconsistent with and will not interfere with the attainment of the State's GHG emissions limits. On the contrary, as discussed above, the Project was selected by the NYISO to address a Public Policy Requirement identified by the Commission that was driven by the targets established in the CLCPA. In addition, the Project will buttress the reliability of the electric system on Long Island, Westchester, and New York City, which plays an important role in the implementation of the CLCPA, including the reduction of GHG emissions. Any emissions of concern associated with the construction equipment used during the construction and maintenance of the Project will be temporary, intermittent, and de minimus. Finally, while the Project will cross disadvantaged communities, approval of the Certificate does not disproportionately impact such communities.[113] Construction in these areas will occur primarily within existing roadways or underwater, minimizing local disruptions, and the impacts

[111] The Village mentioned the requested waivers in its Statement in Opposition to the Joint Proposal (p. 14) but did not object to the Applicant's request. In any event, no local law of the Village is identified as applicable to the Project.

[112] PSL §126(1)(g).

[113] CLCPA §7(3).

associated with construction are comparable to those in every other affected community.[114]

Certificate Conditions

Appendix D to the Joint Proposal contains 212 Certificate Conditions proposed by the Signatory Parties, including conditions related to Public Health and Safety; EM&CP Process; Construction, Operation, Maintenance, and Restoration; and various categories related to specific environmental concerns. These proposed Certificate Conditions comprehensively reflect the Signatory Parties' agreements as set forth in the body of the Joint Proposal. As discussed herein, they adequately protect public health and otherwise are in the public interest, as they avoid or minimize the Project's potential significant adverse environmental impacts to the maximum extent practicable.

McAree Motion for Various Relief

On August 31, 2026, McAree filed a motion challenging that portion of the ALJ's August 27 Ruling Denying Motions that struck the majority of McAree's August 13, 2026 motion on the grounds that it asserted substantive arguments "constituting unauthorized and untimely briefing that materially prejudices other parties."[115] In his August 31 filing, McAree argues that the ALJ's August 27 Ruling does not identify the material stricken from his motion and "whether the strike included relief reserved to Commission action."[116] McAree asserts that those

[114] Application Exhibit 6, Part 6.5.

[115] Case 24-T-0446, Ruling Denying Motions, p. 3; see McAree Motion, supra.

[116] Motion for Interlocutory Review of the August 27, 2026 Ruling Denying Motions (filed August 31, 2026), p. 1.

"Commission-Facing Provisions formulated requested findings, proposed certificate conditions, recommendation language, and contingent Commission action" pursuant to 16 NYCRR §85-2.15.[117] We now deny McAree's requests on the merits. The findings the Commission is required to make in determining whether to issue a Certificate are set forth in PSL §126, and we decline to adopt McAree's recommendation that we make issue-specific findings organized by the "principal decisional categories" he lists in Appendix A to his August 13 motion. To the extent McAree now raises additional arguments concerning Certificate Conditions, those arguments are untimely and could have been made in his statement in opposition to the Joint Proposal; the consideration of those arguments now would be prejudicial to other parties. As stated throughout this Order, the Joint Proposal satisfies the criteria for issuance of a Certificate. Accordingly, McAree's motion to deny or dismiss the Certificate is denied.

EM&CP Phase 1 and Phase 2 Comment Periods

During the pendency of this proceeding, Applicant filed documents regarding two phases of the EM&CP before this Order was issued – Phase 1 and Phase 2 - which gave rise to concerns among some parties regarding the deadlines for the submission of comments with respect to those EM&CPs. The Phase 1 EM&CP documents were filed on June 22, 2026, and the Phase 2 EM&CP documents were filed on July 10, 2026. The Phase 1 EM&CP includes information regarding the design, construction methods, environmental protection methods, restoration procedures, and other information associated with vegetation clearing at four parcels -- the new Barrett Substation in the Town of Hempstead, the new Ruland Road Substation in the Town of Huntington, and

[117] Id., p. 5.

both the new Shore Road Substation and the Shore Road Landfall in the Town of Oyster Bay. The Phase 2 EM&CP outlines construction activities to support future submarine cable installation that involves HDD at both the Shore Road landfall in the Town of Oyster Bay and the Hudson Park and Beach landfall in the City of New Rochelle.

In filing the Phase 1 and Phase 2 EM&CPs, Applicant indicated that it adhered to the EM&CP process and procedures set forth in the proposed Certificate Conditions by serving a copy of EM&CP Filing Notices for EM&CP Phases 1 and 2 on all parties to this proceeding and on certain property owners and/or residents, and publishing those Filing Notices in local newspapers.[118] The Filing Notices contained information about the public comment period, including the date on or about which Applicant would file the relevant EM&CP, and stated that any person wishing to comment or raise objections on the relevant EM&CP documents "may file written comments with the Secretary to the NYSPSC ... within 30 days of the filing."[119] By applying that timeframe, the comment period would have ended on July 22, 2026, for the Phase 1 EM&CP, and on August 10, 2026, for the Phase 2 EM&CP.

In response to Applicant's EM&CP filings, various parties sought clarification of the applicable deadlines to file comments on Phases 1 and 2 of the EM&CP and/or requested an extension of those deadlines. The Village also filed a motion with the ALJs requesting, among other things, confirmation of the deadline for comments on the Phase 1 EM&CP, a ruling that

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[118] Joint Proposal, Appendix D, Proposed Certificate Condition 33.

[119] See id., Proposed Certificate Condition 34; Phase 1 Filing Notice Attached to Exhibit 2 of Applicant's June 25, 2026 Letter (emphasis in original); Phase 2 Filing Notice Attached to Exhibit 2 of Applicant's July 15, 2026 Letter (emphasis in original).

the comment deadlines in the Filing Notices are not applicable unless or until the proposed EM&CP process was formally adopted by the Commission, and a stay that prevented Applicant from filing additional phases of the EM&CP.[120] As relevant to this issue, the Village argued that the Applicant could not establish binding EM&CP comment deadlines by following the process set forth in proposed Certificate Conditions that had not yet been addressed by the Commission.

DPS Staff opposed the requested relief, arguing that no statutory or regulatory restrictions prevented Applicant from filing EM&CPs before the issuance of a Certificate, citing two Commission proceedings in which the Commission "issued orders regarding a Certificate and EM&CP concurrently or in short succession."[121] Certain parties then requested further clarification of the applicable deadlines, noting that DPS Staff's opposition stated both that the EM&CP "comment periods have not begun yet" and that "comments on an EM&CP phase are due within 30 days of the EM&CP filing date, or within 30 days of newspaper notice, whichever is later."[122]

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[120] Village's Motion for Procedural Direction Regarding Phase 1 EM&CP (July 17, 2026) and Village's Supplement to Pending Motion and Request for Immediate Interim Stay (July 27, 2026). See Filings in support of the motion by Mahoney (August 6, 2026); GCBA (August 7, 2026); Hojnowski (August 10, 2026).

[121] DPS Staff July 21, 2026 Letter (attached to POANSA's July 22, 2026 Support for Extension Request), p. 3 & n. 13, citing Case 24-T-0120, National Grid Article VII, Order Adopting Terms of a Joint Proposal (issued October 17, 2025) and Order Approving EM&CP Subject to Conditions (issued October 22, 2025), and Case 25-T-0049, National Grid Article VII, Order Adopting Terms of a Joint Proposal (issued February 12, 2026) and Order Approving EM&CP for the Maiden Lane Substation Subject to Conditions (issued February 17, 2026).

[122] Augenthaler and Panzeca Letter (filed July 22, 2026), p. 1; McAree Letter (filed July 23, 2026), pp. 1-2; DPS Staff July 21, 2026 Letter, pp. 1, 3.

On August 4, 2026, Applicant filed opposition to that part of the Village's motion that sought a stay of further EM&CP activity and a determination that Applicant's Phase 1 and 2 EM&CP filings should not be afforded any procedural effect. Applicant asserted that there is no provision of the PSL prohibiting EM&CP review prior to the Commission's issuance of a Certificate for a project and cited Commission orders in four proceedings in which the EM&CP review process, including the public comment period, proceeded before the Commission's issuance of a Certificate.[123]

On August 11, 2026, the ALJs issued a ruling denying the Village's request for an interim stay, addressing various issues raised by the parties, and making several recommendations.[124] The ALJs ruled that a stay of further EM&CP filings pending the Commission's resolution of whether to grant a Certificate for the Project was not warranted, given the Commission cases cited by Applicant in opposition to the Village's motion and in the absence of PSL provisions or Commission regulations prohibiting such filings. Nevertheless, the ALJs recognized that the parties' confusion regarding the EM&CP comment deadlines was reasonable under the circumstances.

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[123] Applicant Opposition (filed August 4, 2026), pp. 3-5, citing Case 19-T-0684, supra, Order Adopting Joint Proposal, and Order Approving Environmental Management and Construction Plan (issued February 11, 2021); Case 21-T-0340, National Grid – Article VII, Order Adopting Joint Proposal (issued August 11, 2022) and Orders Approving Environmental Management and Construction Plan (issued September 16, 2022); Case 24-T-0120, supra, Order Adopting Terms of a Joint Proposal and Order Approving EM&CP Subject to Conditions; Case 24-T-0113, LIPA Article VII, Order Adopting the Terms of a Joint Proposal (issued October 17, 2025) and Order Approving Environmental Management and Construction Plans Subject to Conditions (issued December 22, 2025).

[124] Case 24-T-0446, Ruling Addressing Multiple Requests for Relief and Making Recommendations (issued August 11, 2026).

The ALJs determined that the cases cited by Applicant did not clarify the operative comment deadlines in this proceeding, "given that several parties have objected to both the terms of the Joint Proposal and the EM&CP filings themselves, and the Commission has not yet determined whether to adopt, modify, or reject the terms of the Joint Proposal, including the terms that would establish a comment deadline."[125] The ALJs concluded that they lacked authority to establish or extend the EM&CP comment periods and recommended that, if the Commission were to issue a Certificate for the Project, the comment deadlines for the Phase 1 and 2 EM&CPs be extended to provide additional time for comments and that all comments on the Phase 1 and 2 EM&CPs that were filed prior to the issuance date of the Certificate be considered.

We now clarify the comment deadlines applicable to Phase 1 and Phase 2 EM&CPs. As Applicant and DPS Staff note, the EM&CP review process has, at times, proceeded before the Commission's issuance of a Certificate. However, the EM&CP process in the cases cited proceeded without objection by any party and without any indication that public confusion existed regarding the applicable comment deadlines. The Commission therefore had no reason to address the timing of the EM&CP filings in those cases, and the EM&CP review appropriately proceeded. Here, in contrast, several parties formally objected to Applicant's reliance on proposed Certificate Conditions to commence the EM&CP comment period and, as the ALJs found, public confusion exists about the applicable deadlines. Under these circumstances, we agree with the ALJs' recommendations to accept for consideration all EM&CP comments filed to date and to

[125] Id., p. 4.

establish a reasonable amount of additional time for comments to be filed on the Phase 1 and Phase 2 EM&CPs.

In providing additional time for comments on the Phase 1 and Phase 2 EM&CPs, we recognize that Applicant must receive Commission approval of the applicable EM&CP and a Notice to Proceed with Construction and must hold a pre-construction meeting at least 14 days prior to commencement of construction.[126] In addition, under Certificate Condition 74(a)(ii)(2), the Phase 1 EM&CP tree clearing activity at each facility is subject to seasonal time-of-year restrictions for the protection of certain species, requiring the tree clearing activity in Suffolk and Nassau Counties to be completed between December 1 and February 28.[127] Some work proposed in the Phase 2 EM&CP also is subject to seasonal time-of-year restrictions or specified work-hour windows to limit potential impacts to residents, businesses, and environmental resources.[128] We further emphasize that the Phase 1 EM&CP and Phase 2 EM&CP have been available for public consideration and comment since June 22, 2026 and July 10, 2026, respectively; the ALJs' August 11, 2026 Ruling specifically recommended that "the parties intending to comment on the EM&CP phases should provide their comments as promptly as possible;"[129] and note that comments on those EM&CPs have been filed.

In consideration of the above, we conclude that extending the comment period for the Phase 1 and Phase 2 EM&CPs

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[126] Joint Proposal, Appendix D, Proposed Certificate Condition 39; Phase 1 EM&CP, p. 1-7; Phase 2 EM&CP, pp. 1-8 and 1-9.

[127] Phase 1 EM&CP, pp. 1-8.

[128] Joint Proposal, Appendix D, Proposed Certificate Conditions 65, 69, 71, and 74; Phase 2 EM&CP, pp. 1-9 through 1-11.

[129] Case 24-T-0446, Ruling Addressing Multiple Requests for Relief and Making Recommendations, supra, p. 5.

for an additional 14 days after the date of this Order is reasonable and strikes an appropriate balance between Applicant's interest in proceeding with the Phase 1 and Phase 2 EM&CP review process and the public's interest in having sufficient time to comment on those EM&CPs. Accordingly, we extend the relevant comment periods to October 1, 2026.

COMMISSION FINDINGS AND CONCLUSION

The Joint Proposal is supported by Applicant and the other Signatory Parties, all of which have been active participants throughout this proceeding. We find that the parties have adhered to the Commission's settlement rules and guidelines in producing a Joint Proposal that addresses all the statutory and regulatory issues surrounding Applicant's request for a Certificate to construct, operate, and maintain the proposed Project. In particular, the Joint Proposal considers the probable significant adverse environmental impacts of the Project and details the steps that will be taken to ensure that any such impacts are avoided or minimized to the extent practicable, given currently available technology and the nature and economics of potential alternatives.

As discussed throughout this Order, the Project is necessary to maintain sufficient system reserve margins, to maintain reliability in New York City and on Long Island, and to facilitate the public policy goals of the CLCPA. Further, construction and operation of the Project will not be inconsistent with or interfere with the attainment of the GHG emissions limits set forth in the CLCPA or disproportionately burden disadvantaged communities; accordingly, a finding of public interest, need, and convenience is fully supported by the record.

As stated above, the Joint Proposal contains additional proposed findings in Appendix J. These findings are detailed and well-supported by the record; accordingly, we adopt them as our own and incorporate them here by reference.

Considering all the above, we grant Applicant a Certificate of Environmental Compatibility and Public Need subject to the discussion in this Order, the Certificate Conditions in Appendix D to the Joint Proposal, and the commitment in the affidavit of Stephen-Cole Hatchard, Jr. that we adopted as a term and condition of the Certificate, as described above.

The Commission orders:

1. The terms of the Joint Proposal filed on April 30, 2026, including the findings in Appendix J and the Certificate Conditions in Appendix D, subject to the discussion in the body of this Order, are adopted.

2. Applicant's request for Commission waiver of certain local laws, as identified in Revised Application Exhibit 7 and discussed herein, is granted.

3. This proceeding is continued.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS
Secretary