



Department of Public Service
**Office of Renewable Energy Siting
and Electric Transmission**

KATHY HOCHUL
Governor

RORY M. CHRISTIAN
Chief Executive Officer

ZERYAI HAGOS
ORES Executive Director

CASE 24-M-0433 - In the Matter of the Rules and Regulations for the Environmental Review, Permitting, and Siting in this State of Major Renewable Energy Facilities and Major Electric Transmission Facilities Under the Renewable Action Through Project Interconnection and Deployment Act.

NOTICE OF PROPOSED RULEMAKING, ACCEPTANCE OF DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT, PUBLIC COMMENT PERIOD, AND PUBLIC COMMENT HEARINGS

(Issued December 18, 2024)

New York State recently enacted the Renewable Action Through Project Interconnection and Deployment (RAPID) Act, which consolidates the environmental review, permitting, and siting of major renewable energy facilities and major electric transmission facilities under the purview of the Office of Renewable Energy Siting and Electric Transmission (Office or ORES). Among other things, the RAPID Act authorizes ORES, in consultation with the Department of Public Service (Department or DPS) and subject to approval by the Public Service Commission (Commission), to promulgate rules and regulations to implement the new siting permit program for major electric transmission facilities established by the RAPID Act.

Notice of Proposed Rulemaking: Pursuant to the provisions of the article 2 of the State Administrative Procedure Act (SAPA) and Public Service Law §§ 3-c, 138, 139, and 145, ORES proposes

to repeal the current 16 NYCRR Part 1100 (Office of Renewable Energy Siting and Electric Transmission), and replace it with a new Part 1100 (General Procedures), Part 1101 (Major Renewable Energy Facility Siting), and Part 1102 (Major Electric Transmission Facility Siting). The purpose of the rulemaking is to establish procedural rules and uniform standards and conditions for the siting, design, construction, and operation of major renewable energy generation and electric transmission facilities.

Copies of the express terms of the proposed rulemaking are available from the Office of Renewable Energy Siting and Electric Transmission, W.A. Harriman Campus, Building 9, 4th Floor, 1220 Washington Avenue, Albany, New York 12226. Electronic copies of the express terms are available online at the Department of Public Service webpage by going to www.dps.ny.gov, clicking on "File Search" (located under the heading "Commission Files") and entering "24-M-0433" in the "Search by Case Number" field.

Notice of Acceptance of Draft Generic Environmental Impact

Statement: DPS, by and through ORES, as lead agency, has completed and accepted a draft generic environmental impact statement (DGEIS) in connection with the proposed rulemaking. The DGEIS was prepared pursuant to the State Environmental Quality Review Act (Environmental Conservation Law article 8 [SEQRA]) and its implementing regulations at 6 NYCRR part 617. The DGEIS was prepared to analyze potential environmental impacts associated with the new siting permit program for major electric transmission facilities established by the RAPID Act.

Copies of the DGEIS are available from the Office of Renewable Energy Siting and Electric Transmission, W.A. Harriman Campus, Building 9, 4th Floor, 1220 Washington Avenue, Albany, New York 12226. An electronic copy of the DGEIS is available online at the Department's webpage by going to www.dps.ny.gov, clicking on "File Search" (located under the heading "Commission Files") and entering "24-M-0433" in the "Search by Case Number" field.

Written Public Comments: Written comments are sought on the proposed rulemaking and DGEIS. Comments should be submitted by **March 18, 2025**, and should refer to Case 24-M-0433.

Persons filing written comments are strongly encouraged to post their comments on the Department's Document and Matter Management (DMM) system. To post a comment, go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter "24-M-0433" in the "Search by Case Number" field, and click on "Post Comments" in the upper right-hand corner of the screen.

Persons unable to post comments electronically may mail their comments to the Office of Renewable Energy Siting and Electric Transmission, Empire State Plaza, P-1 South, J Dock, Albany, NY 12242, and reference Case 24-M-0433. All comments must be postmarked no later than March 18, 2025. Comments mailed to the Office will be posted on the Department's DMM and will be included in the official record of the matter.

In-person Public Comment Hearings: In-person public comments hearings on the proposed rulemaking and DGEIS will be held as follows:

Region: Capital Region
Date: Tuesday, February 18, 2025
Time: 1:00 pm and 5:00 pm
Location: Hudson Valley Community College
Bulmer Telecommunications Center
80 Vandenberg Ave.
Troy, NY 12180

Region: Long Island
Date: Wednesday, February 26, 2025
Time: 1:00 pm and 6:00 pm
Location: Nassau County Legislature
Peter J. Schmitt Legislative Chamber
1550 Franklin Avenue
Mineola, NY 11501

Region: New York City
Date: Thursday, February 27, 2025
Time: 1:00 pm and 6:00 pm
Location: New York State Department of Public Service
4th Floor Board Room
90 Church Street
New York, NY 10007

Region: Western NY
Date: Tuesday, March 4, 2025
Time: 1:00 pm and 5:00 pm
Location: Frank E. Merriweather Jr. Library
1324 Jefferson Ave.

Buffalo, NY 14208

Region: North Country
Date: Tuesday, March 4, 2025
Time: 6:00 pm
Location: Jefferson County Community College
Auditorium
1220 Coffeen Street
Watertown, NY 13601

Region: Finger Lakes
Date: Wednesday, March 5, 2025
Time: 1 pm and 5:00 pm
Location: Arnett Community Library
310 Arnett Boulevard
Rochester, NY 114619

To ensure that all interested persons have an opportunity to speak, the Administrative Law Judge (ALJ) may limit the time available for oral comments to three (3) minutes per person. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. The public comment hearing will be transcribed for inclusion in the record of this proceeding.

The hearing locations are reasonably accessible to persons with a mobility impairment. Interpreter services will be made available to deaf persons, and English language translator services will also be made available, at no charge for either service, upon written request to Chief ALJ James T. McClymonds, Office of Renewable Energy Siting and Electric Transmission, Empire State Plaza, P-1 South, J Dock, Albany, NY

12242, (518) 473-4590, ores.hearings@dps.ny.gov. All requests must be received no later than 4:00 p.m. two weeks before the scheduled hearing.

In the event that an in-person public comment hearing needs to be canceled, rescheduled, postponed, or conducted virtually, notification of any change will be available at the ORES website at <https://dps.ny.gov/ores>.

Virtual Public Comment Hearings: Virtual hearings are being held on:

Region: Statewide (Virtual)

Date: Tuesday, March 11, 2025

Time: 1 pm

To join electronically: visit <https://meetny-gov.webex.com/meetny-gov/j.php?MTID=mc4e505f13b5202522888a828658e5d2f> and click "Join a meeting."

Or log onto meetny-gov.webex.com and enter the following:

Webinar Number: 2825 088 7004

Webinar Password: Mar11-1pm

To join by phone only:

Dial: 1-929-251-9612

Access Code: 2825 088 7004

Password: 62711017

Any person wishing to provide a public comment must register in advance of the hearing no later than 10:00 a.m. Monday, March 10, 2025. Any person who wants only to observe the hearing

online must also pre-register. Any person may listen to the hearing by phone without pre-registration.

To register electronically: Persons who will login to the hearing electronically must register. To register, visit <https://meetny-gov.webex.com/weblink/register/r8efd425bc6b09a7327b99a2b6bfdd13a>, click on "Register," and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing.

Region: Statewide (Virtual)

Date: Tuesday, March 11, 2025

Time: 6 pm

To join electronically: visit <https://meetny-gov.webex.com/meetny-gov/j.php?MTID=m8bbd4cf249f180b4d4baaf2a738878a8> and click "Join a meeting."

Or log onto meetny-gov.webex.com and enter the following:

Webinar Number: 2829 049 7672

Webinar Password: Mar11-6pm

To join by phone only:

Dial: 1-929-251-9612
Access Code: 2829 049 7672
Password: 62711067

Any person wishing to provide a public comment must register in advance of the hearing no later than 10:00 a.m. Monday, March 10, 2025. Any person who wants only to observe the hearing online must also pre-register. Any person may listen to the hearing by phone without pre-registration.

To register electronically: Persons who will login to the hearing electronically must register. To register, visit <https://meetny.gov/webex.com/weblink/register/r9b94175bb97e56a9ba4fbb68351558c6>, click on "Register," and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing.

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

Interpreter services will be made available to deaf persons, and English language translator services will be made available, at no charge for either service, upon written request to Chief ALJ James T. McClymonds, Office of Renewable Energy Siting and Electric Transmission, Empire State Plaza, P-1 South, J Dock, Albany, NY 12242, (518) 473-4590, ores.hearings@dps.ny.gov. All requests must be received no later than 4:00 p.m. two weeks before the scheduled hearing.