

Lighthouse Wind Project Email Tracking Log July-August 2015

Hour	Date	First Name	Last Name	Author	Message/Logged Contact
18:06:44	08 Jul 2015	Suzanne	Albright	Suzanne Albright	<p>I am writing to seek the name of the consultant firm(s) you are using for field studies in the Lighthouse Wind projected areas of Orleans and Niagara Counties. The field studies, particularly avian and bat, started in December 2014 according to the NYS DEC. What and where are studies being done presently and by whom?</p> <p>Thank you, Suzanne Albright salbright2@aol.com</p>
16:48:19	13 Jul 2015	Suzanne	Albright	Daniel Fitzgerald	<p>Ms. Albright,</p> <p>The studies that have been done or are currently underway are being completed throughout the proposed project area. Currently, Ecology and Environment is completing general avian and eagle use surveys, wintering grassland raptor surveys, threatened and endangered species habitat surveys, and bat activity studies based on the New York State Department of Environmental Conservation (NYSDEC) Guidelines for Conducting Bird and Bat Studies at Commercial Wind Energy Projects (NYSDEC August 2009), the U.S. Fish and Wildlife Service (USFWS) Land-Based Wind Energy Guidelines (USFWS 2012); the USFWS Eagle Conservation Plan Guidance (USFWS 2013), and input and recommendations provided by the NYSDEC and USFWS. These studies are designed (1) to assess year round avian use, with emphasis on species of particular concern or interest to NYSDEC or USFWS (e.g., migrating raptors, wintering raptors, eagles, breeding birds), (2) to characterize general bat activity and seasonal variation, and (3) to identify areas of likely ecological significance and/or potential habitat for threatened and/or endangered species. Additionally, Western Ecosystem Technologies will complete presence/absence surveys for federal and state-listed bats in accordance with the USFWS Northern Long-eared Bat Interim Conference and Planning Guidance (USFWS 2014) and 2015 Range-wide Indiana Bat Summer Survey Guidelines (USFWS 2015). All survey plans have been developed in coordination with the NYSDEC and USFWS and will be described in detail in the Preliminary Scoping Statement that we expect to submit in late summer of 2015.</p> <p>Thank you.</p>
15:22:24	07 Jul 2015	Christine	Bronson	Taylor Quarles	<p>Note by Lighthouse Wind: This message is in response to a message received by Ms. Bronson on June 29th, 2015.</p> <p>Ms. Bronson,</p> <p>I have posted office hours on our events page and on our blog. I am available each day this week as follows, and also open to schedule with you for other times at your convenience:</p> <p>Tuesday: 9-12 Wednesday: 2-5 Thursday: 2-5 Friday: 9-12</p> <p>In the future I hope to have more regular hours posted, but regardless always plan to post them in advance on our events page.</p> <p>Sincerely, Taylor Quarles</p>
16:07:46	07 Jul 2015	Christine	Bronson	Christine Bronson	<p>Thank you, Taylor. I'll be stopping in during regular hours sometime.</p> <p>Christine Bronson</p>
00:16:10	19 Aug 2015	Gail	Damon	Gail Damon	<p>Taylor,</p> <p>I have read that turbines consume energy for start up, blade pitch control, data collection electronics, oil heaters, pumps and coolers, hydraulic brakes, and blade heaters. Is this energy taken from what each turbine produces, or does it come directly from the grid? Either way, how much energy on average would one turbine consume? How would that number compare to what it produces?</p> <p>I eagerly await your response.</p> <p>Gail Damon Sent from Samsung tablet</p>
16:21:52	09 Sep 2015	Gail	Damon	Taylor Quarles	<p>Gail,</p> <p>Thank you for your question.</p> <p>Turbines do consume some energy for auxiliary purposes. If the turbine is producing energy, then it comes from the energy that is produced. If the turbine is not spinning, it comes from either other Turbines that are spinning at the farm or from the grid. Turbines use energy intermittently based on the need for the heaters, pitch control etc.</p> <p>Actual energy consumption depends on which turbine, how often the wind changes, ambient temperature, and other factors. Typically this power would represent less than 1% on an average yearly basis.</p> <p>Sincerely, Taylor Quarles</p>
16:30:07	18 Aug 2015	Susan	Dudley	Susan Dudley	<p>Dear Apex,</p> <p>Could you please provide some details on what is involved in wind farm management once the wind farm construction is complete?</p> <p>Regards, Susan</p> <p>Life isn't about surviving the storm; but how you dance in the rain.</p>

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18:58:19	08 Sep 2015	Susan	Dudley	Taylor Quarles	<p>Ms. Dudley,</p> <p>Thank you for your question.</p> <p>After the project has been constructed and is in operations, for a 200 MW project, there will be a full time staff of 8-12 folks who live in the area and are responsible for the day to day operations of the wind project. This will include a project manager and his/her assistant, some office staff, and maintenance technicians. These folks will be responsible for the day to day operations of the project. This includes staying in communication with the landowners and local officials to ensure that the project runs smoothly.</p> <p>Additionally, they will be supported remotely by the project owners operations and control center. Apex has an Operations and Control center which is manned 24/7 and 365 days per year. From this center, we can monitor a project and stay in communication with the folks in the field to ensure everything is running smoothly. Additionally, the project connected to an operations and control center will allow the owner to be in constant communication with the grid system operator. As with every other power producer, this 24/7 communication is critical to ensuring that our grid system operates safely and efficiently.</p> <p>I encourage you to peruse the Article 10 regulations, as different sections contain requirements for how the project is managed. I have included an example from one section below.</p>
18:58:19	08 Sep 2015	Susan	Dudley	Taylor Quarles	<p>"1001.5 Exhibit 5: Electric System Effects Exhibit 5 shall contain: ... (i) Facility maintenance and management plans, procedures and criteria, specifically addressing the following topics: (1) turbine maintenance, safety inspections, and tower integrity; and (2) electric transmission, gathering and interconnect line inspections, maintenance, and repairs, including: (i) vegetation clearance requirements; (ii) vegetation management plans and procedures; (iii) inspection and maintenance schedules; (iv) notification and public relations for work in public right-of-way; and (v) minimization of interference with electric and communications distribution systems."</p> <p>Thank You</p> <p>Taylor</p>
13:05:12	13 Aug 2015	Richard	Hellert	Taylor Quarles	<p>Note by Lighthouse Wind: This message is in response to a comment received by Mr. Hellert on June 24th 2015.</p> <p>Mr. Hellert,</p> <p>Pardon my delay in response.</p> <p>Our future application, which we intend to submit in Q1 2016 will have the results of the 41 different exhibits required under article 10, including several that deal with human health. Additionally the Department of Health has a seat on the Article 10 siting board, and will be reviewing the results of these studies, as will other stakeholders and members of the public.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
19:12:33	08 Jul 2015	Don	Lewicki	Taylor Quarles	<p>Note by Lighthouse Wind: This message is in response to questions received by Mr. Lewicki on June 28th 2015.</p> <p>Mr. Lewicki,</p> <p>Please find our response to each of your questions below. I have included your original questions for clarity. Contact me if you have any additional questions. I am available to meet in person in Barker, and would appreciate the opportunity to sit down with you in person if you are in the area.</p> <p>1. Has APEX offered or provided any type of monetary/gift/donation to any stakeholder listed in the PIP (other than a host landowner) at any time since 1/2014? • No. The only fees paid to any stakeholder would be administrative application or other permit fees, and rental fees for events.</p> <p>2. Has APEX conducted any kind of survey to gather public opinion and feedback of the project? Can you send me the content of these surveys and methodology of administering them? • Lighthouse Wind has conducted some phone polling in the project area to assess support for the project in the area. At this time the information is being used internally to determine maximize potential approaches to outreach and to assess the effectiveness of PIP activities.</p> <p>3. Has APEX offered legal advice to any stakeholders listed in the PIP? Has APEX offered to pay legal fees to any town board in the project scope area? • Lighthouse Wind cannot and does not offer legal advice to stakeholders. It is very common in New York for applicants to agree to assist the municipality with the engineering and legal costs associated with litigation on approvals issued by the municipality. Due to the references to litigation by certain individuals at recent public meetings, Lighthouse Wind LLC discussed an escrow agreement with the Town of Yates so that litigation costs would not be borne by taxpayers of the Town.</p> <p>4. Can you provide me a map of the project area which shows which tracts of land have been leased by APEX so far? • Due to the dynamic nature of development at this stage in the process, including the ongoing stakeholder consultation, resource review and public outreach process and nature of ongoing landowner discussions, this information is not available. Once the layout is finalized, it will be identified in detail in a submission to the Siting Board, including identification of all participating landowners.</p>

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19:12:33	08 Jul 2015	Don	Lewicki	Taylor Quarles	<p>5. Can you provide me with analytics of the lighthousewind.com website?</p> <ul style="list-style-type: none"> This information is proprietary and is not related to the Article 10 process. <p>6. Have you made contact with all listed stakeholder organizations listed in the PIP?</p> <ul style="list-style-type: none"> Initial letters were sent to all stakeholders and many follow-up meetings were held in-person or via phone. As part of the ongoing Public Involvement Program Plan, we continue to identify new stakeholders and try to meet with them. If you know of any stakeholder groups that we should contact, please let us know. <p>7. Have you MAILED at least one notice of the project to all Landowners in the proposed affected area of the project? If you did, how did you obtain the mailing addresses?</p> <ul style="list-style-type: none"> A newsletter was mailed to all landowners within the project area informing them of the project and updating them on the status. The addresses were obtained from county tax data. <p>8. Can you provide me a copy of your ethics code?</p> <ul style="list-style-type: none"> Apex has a high internal standard for ethics in development and has and will continue to ensure that it avoids conflicts of interests in development of all of its Projects. We do not have a formal written policy but adhere to all applicable ethics laws. <p>9. Can you give me the name of the primary contact you are working with in the state's attorney general's office? (I asked for this on June 12th but did not receive an answer to this question-- although I was promised an answer).</p> <ul style="list-style-type: none"> Please find attached to this email a copy of the letter we sent to the Attorney General's office on April 1st, indicating that we would sign the code of conduct. This letter is only one example of ongoing communication with the Attorney General's office.
19:12:33	08 Jul 2015	Don	Lewicki	Taylor Quarles	<p>10. Can you tell me how many questions were handled in total during the recently conducted telephone town halls?</p> <ul style="list-style-type: none"> During our most recent telephone town hall 7 questions were answered. These answers came from 5 separate individuals, some of which asked their question(s) directly, and some who had their questions relayed through operators. <p>Sincerely,</p> <p>Taylor Quarles</p>
12:28:53	09 Jul 2015	Don	Lewicki	Don Lewicki	<p>Mr. Quarles, Thank you for your responses. Please see some follow-up questions/responses below that I marked in bold. regards,</p> <p>Don Lewicki Associate Professor of Computer Information Systems & Technology Program Director - Computer Information Systems and Technology Director - Computing, Telecommunications, and Media Services University of Pittsburgh at Bradford office +1 814-362-0988</p> <p>2. Has APEX conducted any kind of survey to gather public opinion and feedback of the project? Can you send me the content of these surveys and methodology of administering them?</p> <p>Lighthouse Wind has conducted some phone polling in the project area to assess support for the project in the area. At this time the information is being used internally to determine maximize potential approaches to outreach and to assess the effectiveness of PIP activities. Can you send me the content/questions asked in the phone survey? I think the assessment of the effectiveness of PIP activities is important and needs to be posted to the public. Are you going to make those results available? Also, didn't apex distribute a post card to some residents?</p>
12:28:53	09 Jul 2015	Don	Lewicki	Don Lewicki	<p>3. Has APEX offered legal advice to any stakeholders listed in the PIP? Has APEX offered to pay legal fees to any town board in the project scope area?</p> <p>Lighthouse Wind cannot and does not offer legal advice to stakeholders. It is very common in New York for applicants to agree to assist the municipality with the engineering and legal costs associated with litigation on approvals issued by the municipality. Due to the references to litigation by certain individuals at recent public meetings, Lighthouse Wind LLC discussed an escrow agreement with the Town of Yates so that litigation costs would not be borne by taxpayers of the Town. So Lighthouse wind would theoretically pay for litigation costs on behalf of the town if the town was investigated for some reason (collusion/bribery) by any government entity?</p> <p>4. Can you provide me a map of the project area which shows which tracts of land have been leased by APEX so far?</p> <p>Due to the dynamic nature of development at this stage in the process, including the ongoing stakeholder consultation, resource review and public outreach process and nature of ongoing landowner discussions, this information is not available. Once the layout is finalized, it will be identified in detail in a submission to the Siting Board, including identification of all participating landowners. I don't think that the signed leases are anything dynamic. This information should be made available as landowners sign on.</p> <p>5. Can you provide me with analytics of the lighthousewind.com website?</p> <p>This information is proprietary and is not related to the Article 10 process. This information should be part of your assessment of the effectiveness of your PIP and should be made available.</p>

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12:28:53	09 Jul 2015	Don	Lewicki	Don Lewicki	<p>6. Have you made contact with all listed stakeholder organizations listed in the PIP?</p> <p>Initial letters were sent to all stakeholders and many follow-up meetings were held in-person or via phone. As part of the ongoing Public Involvement Program Plan, we continue to identify new stakeholders and try to meet with them. If you know of any stakeholder groups that we should contact, please let us know. Can you provide me a list of the stakeholders that are not mentioned in your PIP?</p> <p>7. Have you MAILED at least one notice of the project to all Landowners in the proposed affected area of the project? If you did, how did you obtain the mailing addresses?</p> <p>A newsletter was mailed to all landowners within the project area informing them of the project and updating them on the status. The addresses were obtained from county tax data. I and at least two other neighbors in Somerset never received this newsletter. Can you send me a copy of the newsletter? Also, please let me know when it was sent out? Also, you are telling me you have only sent out ONE mailing?</p> <p>8. Can you provide me a copy of your ethics code?</p> <p>Apex has a high internal standard for ethics in development and has and will continue to ensure that it avoids conflicts of interests in development of all of its Projects. We do not have a formal written policy but adhere to all applicable ethics laws. So ALL APEX personnel know what is ethical and what is not without needing a written policy? Your company has been and is involved with several projects and you have yet to develop an ethics policy? This doesn't sound like ethics is a priority. So you're saying "trust us"? You've done the bulk of your business on this project already and the damage has been done in terms of developing a lack of trust between the affected residents of our communities and your company by not signing the NYS wind energy ethics code. Your lack of transparency is disgusting.</p>
14:48:21	05 Aug 2015	Don	Lewicki	Don Lewicki	<p>Mr. Quarles,</p> <p>I have not received a response yet. It's been a month. Please see my follow-up questions and respond as soon as possible.</p> <p>Regards,</p> <p>[https://docs.google.com/uc?id=0B95XjiYIMDYoMEVIYVRETxdDSOU&export=download]</p> <p>Don Lewicki</p> <p>Associate Professor of Computer Information Systems & Technology</p> <p>Program Director - Computer Information Systems and Technology Director - Computing, Telecommunications, and Media Services University of Pittsburgh at Bradford</p> <p>office +1 814-362-0988</p>
18:04:13	07 Aug 2015	Don	Lewicki	Don Lewicki	<p>Mr. Quarles,</p> <p>Could you please send me all plans of wildlife studies you have submitted to the dec or other authorities for review?</p> <p>Thank you.</p> <p>Don Lewicki Associate Professor of Computer Information Systems & Technology Program Director - Computer Information Systems and Technology Director - Computing, Telecommunications, and Media Services University of Pittsburgh at Bradford office +1 814-362-0988</p>
13:06:30	13 Aug 2015	Don	Lewicki	Taylor Quarles	<p>Mr. Lewicki,</p> <p>We are actively working with the DEC central office and regions 8 and 9. Additionally we are working with the USFWS region 5. Because this process involves so much back and forth between multiple agencies and consultants, it would be impractical to send you study plans that are unfinished or under review. We are actively preparing for the submission of our Preliminary Scoping Statement (PSS). This document should outline all of the proposed environmental studies you have requested.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>

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13:18:32	13 Aug 2015	Don	Lewicki	Taylor Quarles	<p>Mr. Lewicki, Please pardon my delay in response on your follow up questions. I have kept the numbering the same, but have not included questions for which you did not request followup.</p> <p>2. Has APEX conducted any kind of survey to gather public opinion and feedback of the project? Can you send me the content of these surveys and methodology of administering them? #2 Answer 1/2: Lighthouse Wind has conducted some phone polling in the project area to assess support for the project in the area. At this time the information is being used internally to determine maximize potential approaches to outreach and to assess the effectiveness of PIP activities. #2 Followup: Can you send me the content/questions asked in the phone survey? I think the assessment of the effectiveness of PIP activities is important and needs to be posted to the public. Are you going to make those results available? Also, didn't apex distribute a post card to some residents? #2 Answer 2/2: As I said, this information is being used internally to ensure our outreach activities are efficient and assess the effectiveness of PIP activities to date. Additionally Apex has sent several fact based mailings on different wind energy topics which provide the opportunity for residents to express their support for the project. As with the phone polling, this information is being used as an informal survey for use internally.</p> <p>3. Has APEX offered legal advice to any stakeholders listed in the PIP? Has APEX offered to pay legal fees to any town board in the project scope area? #3 Answer 1/2: Lighthouse Wind cannot and does not offer legal advice to stakeholders. It is very common in New York for applicants to agree to assist the municipality with the engineering and legal costs associated with litigation on approvals issued by the municipality. Due to the references to litigation by certain individuals at recent public meetings, Lighthouse Wind LLC discussed an escrow agreement with the Town of Yates so that litigation costs would not be borne by taxpayers of the Town. #3 Followup: So Lighthouse wind would theoretically pay for litigation costs on behalf of the town if the town was investigated for some reason (collusion/bribery) by any government entity? #3 Answer 2/2: The escrow agreement I mentioned is specifically to handle the litigation filed against the town regarding the Meteorological tower to ensure that this financial burden is not on the taxpayers.</p>
13:18:32	13 Aug 2015	Don	Lewicki	Taylor Quarles	<p>4. Can you provide me a map of the project area which shows which tracts of land have been leased by APEX so far? #4 Answer 1/2: Due to the dynamic nature of development at this stage in the process, including the ongoing stakeholder consultation, resource review and public outreach process and nature of ongoing landowner discussions, this information is not available. Once the layout is finalized, it will be identified in detail in a submission to the Siting Board, including identification of all participating landowners. #4 Followup: I don't think that the signed leases are anything dynamic. This information should be made available as landowners sign on. #4 Answer 2/2: A layout of the project showing component locations and participating landowners will be available in our application.</p> <p>5. Can you provide me with analytics of the lighthousewind.com website? #5 Answer 1/2: This information is proprietary and is not related to the Article 10 process. #5 Followup: This information should be part of your assessment of the effectiveness of your PIP and should be made available. #5 Answer 2/2: The Siting Board will determine the effectiveness of the PIP.</p> <p>6. Have you made contact with all listed stakeholder organizations listed in the PIP? #6 Answer 1/2: Initial letters were sent to all stakeholders and many follow-up meetings were held in-person or via phone. As part of the ongoing Public Involvement Program Plan, we continue to identify new stakeholders and try to meet with them. If you know of any stakeholder groups that we should contact, please let us know. #6 Followup: Can you provide me a list of the stakeholders that are not mentioned in your PIP? #6 Answer 2/2: Stakeholder outreach is an ongoing process as we continue project development. We submit event trackers to the PSC on a bi-monthly basis which include our in person meetings with different stakeholders. I encourage you to refer to this.</p>
13:18:32	13 Aug 2015	Don	Lewicki	Taylor Quarles	<p>7. Have you MAILED at least one notice of the project to all Landowners in the proposed affected area of the project? If you did, how did you obtain the mailing addresses? #7 Answer 1/2: A newsletter was mailed to all landowners within the project area informing them of the project and updating them on the status. The addresses were obtained from county tax data. #7 Followup: I and at least two other neighbors in Somerset never received this newsletter. Can you send me a copy of the newsletter? Also, please let me know when it was sent out? Also, you are telling me you have only sent out ONE mailing? #7 Answer 2/2: We have sent out multiple mailings, all of which are available at our office in Barker. Please provide the names and addresses of those who would like to receive our mailings, and I will add them to our list. Additionally, if you are in the area, please feel free to stop by and pick them up in person.</p> <p>8. Can you provide me a copy of your ethics code? #8 Answer 1/2: Apex has a high internal standard for ethics in development and has and will continue to ensure that it avoids conflicts of interests in development of all of its Projects. We do not have a formal written policy but adhere to all applicable ethics laws. #8 Followup: So ALL APEX personnel know what is ethical and what is not without needing a written policy? Your company has been and is involved with several projects and you have yet to develop an ethics policy? This doesn't sound like ethics is a priority. So you're saying "trust us"? You've done the bulk of your business on this project already and the damage has been done in terms of developing a lack of trust between the affected residents of our communities and your company by not signing the NYS wind energy ethics code. Your lack of transparency is disgusting. #8 Answer 2/2: Our communication with the AGs office regarding the ethics code is ongoing. We continue to substantively comply with the ethics code and are actively preparing for when they allow us to sign the code.</p> <p>Sincerely, Taylor Quarles</p>
01:19:24	14 Aug 2015	Herbert	Linderman	Herbert Linderman	<p>I have seen the wind turbines along route 77 but I would like to take a look at some 570' turbines. Could you please give me some locations where I could travel to and view them? Also could you tell me the location of any " wind mill farms " within view of the East Coast or any major city in the Eastern US?</p> <p>Thank you in advance.</p> <p>Regards.....Herb</p>

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12:50:35	20 Aug 2015	Herbert	Linderman	Taylor Quarles	<p>Mr. Linderman,</p> <p>The tallest turbines currently erected in New York are at the 215 MW Marble River wind farm in Clinton County. They are just shy of 500' tall. The turbines down in the Orangeville project in Wyoming County are also over 400'</p> <p>The trend in the wind industry is that turbines are getting taller as technology improves. As you go higher the wind generally grows stronger and more consistent. This is allowing many more areas of the country to be viable for wind energy development which 5 years ago could not have been considered. Lighthouse Wind is not the only project proposing to use this technology. There are currently hundreds of FAA applications for turbines over 500' across the country. It is likely this trend of increased height will continue down the road as well.</p> <p>For turbines within view of a major city, the closest to Lighthouse would be the Steel Winds project, on the Lake Erie Waterfront of Buffalo. You can see this turbines from multiple vantage points in the city.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
16:33:59	07 Jul 2015	Glenn	Maid	Taylor Quarles	<p>Note by Lighthouse Wind: This message is in response to questions received from Mr. Maid on June 20th 2015</p> <p>Mr. Maid,</p> <p>Pardon my delay in responding to your comment regarding liens. Please allow me to outline and offer an update on this situation.</p> <ul style="list-style-type: none"> • Liens at Apex's Hoopeston Wind Project emerged due to disputes between subcontractors working on the project. • Apex has been working hard to get these liens released as quickly as possible and to ensure that landowners are protected from inconvenience in the meantime. • The situation at Hoopeston Wind is unique to Illinois and WILL NOT happen at Lighthouse, because the laws of the state are different. In most states, including NY, liens are automatically released when a bond is placed for the value of the lien. In Illinois, this is not the case, so even though bonds were placed for the value of the liens, the liens remained in place. Liens in Illinois are not released until all associated disputes have been settled or resolved. • No new liens have been filed in the last month. • Several liens have been released since this issue was initially reported, and only two remain. The disputes associated with these two liens are still in the process of being resolved. • We stand by our landowners, and we are doing everything we can to ensure they are not impacted by subcontractor disputes. <p>Sincerely,</p> <p>Taylor Quarles</p>
16:37:59	07 Jul 2015	Glenn	Maid	Taylor Quarles	<p>Note by Lighthouse Wind: This message is in response to a question received from Mr. Maid on June 18th 2015</p> <p>Mr. Maid,</p> <p>Traditionally under previous permitting processes such as the State Environmental Quality Review Act (SEQRA), it was customary for developers to provide escrow funds for costs of legal work to be performed by the lead agencies which was often the towns. With the change Article 10, it was not originally anticipated that such funds would be necessary, and that the intervenor funds would be available to cover such costs incurred by towns in their review of wind projects. However, it was recently determined that the Town of Yates may incur some legal costs as a result of early permitting studies, and, therefore, the establishment of an escrow account was discussed.</p> <p>How much money will be placed in escrow?</p> <ul style="list-style-type: none"> • Lighthouse Wind LLC has agreed to enter into an escrow agreement with the Town of Yates and deposit monies to reimburse the Town for its engineering and legal costs incurred for aspects of the Project that may be beyond the scope of the review under Article 10. <p>Why wasn't this money placed in escrow at the filing of the PIP, or when Mr Spitzer was initially hired ?</p> <ul style="list-style-type: none"> • Any escrow agreement between the Town of Yates and Lighthouse Wind LLC would not include reimbursement for activities under Article 10. Moreover, Article 10 does not provide for an intervenor fund for PIP activities. <p>Why was this offer presented just prior to the Town Board's vote on your MET Tower application, a vote that resulted in a favorable outcome for the Lighthouse Wind project?</p> <ul style="list-style-type: none"> • We are not certain about the timing you suggest in your question, but it is likely that the escrow agreement was discussed near in time to the approval of the MET tower application due to the number of litigation threats that the Town received in the public meetings prior to approval of the MET Tower application. <p>Please don't hesitate to reach out with any additional questions.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
16:42:50	07 Jul 2015	Glenn	Maid	Taylor Quarles	<p>Note by Lighthouse Wind: This message is in response to a question received from Mr. Maid on June 18th 2015</p> <p>Mr. Maid</p> <p>The developer of the Lighthouse Wind Project is Lighthouse Wind LLC, a project company whose sole purpose is to develop the Project. Apex Clean Energy Holdings LLC (the entity we believe you are referencing) is the parent company of Lighthouse Wind LLC. Apex Clean Energy Holdings LLC is a privately owned limited liability company in the business of accelerating the transition to a world powered by clean electricity. As a private company, it does not have filing requirements with the SEC and, unlike publicly traded corporations, it does not have obligations to identify its investors. Indeed, we are obligated to preserve the confidentiality of the identity of the private investors in Apex, though we can confirm that no individual investor has the ability to exercise any control over the Lighthouse Project.</p> <p>With respect to disclosures related to the Code of Conduct Agreement, Lighthouse Wind LLC continues to adhere to all applicable provisions of the Code of Conduct Agreement and is aware of the obligations on the company's officers, directors, employees, subsidiaries and any affiliates over which it exercises control imposed by the Code of Conduct. As such, Lighthouse Wind LLC has appropriately disclosed its affiliates and parent entities to the municipal officials as well as landowners and potential landowners to identify any applicable conflicts of interest.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>

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13:33:24	10 Jul 2015	Glenn	Maid	Glenn Maid	<p>Sir,</p> <p>SEC 506(b) filings spare equity investors from having to disclose investments of more than three years, maintaining anonymity to the SEC. Doesn't mean it's a secret to those whose lives may be affected by your company. Are land lease signers, and our community supposed to trust you when you say that you investigate conflicts of interest during lease signing ?</p> <p>I suppose that's why four Somerset municipal officers only recused themselves AFTER members of the community discovered the conflicts and brought it to the light of day. APEX / Lighthouse Wind did not. It appears your assertion that conflicts were identified and properly dealt with is false.</p> <p>Regarding your "disclosures related to the Code of Conduct Agreement, Lighthouse Wind LLC continues to adhere to all applicable provisions of the Code of Conduct Agreement", which you told me the other day, APEX has "summarily followed".</p> <p>Two things. Your company continues to refuse to sign the agreement, as you told me personally, due to your opinion that it is outdated and falls short in several areas. The community and municipalities don't feel that way. Towns have admonished APEX and signed resolutions that APEX sign it. You refuse. Secondly, you said you adhere to all the applicable requirements of the code. Better read it again. as you're not even close. I'm not going to tell you all the areas you have fallen short. They are requirements bestowed upon you, the proposed developer, not the community.</p> <p>In summation, protection from SEC filing for financial reasons is understandable. Hiding your ownership from the community you are attempting to inflict yourself on is not what 506(b) is for. We still deserve to know who owns a large portion of your company, so that WE may determine any conflicts. As in Somerset, it appears we have to look into it ourselves, as we cannot depend on APEX to do so. Please provide that information.</p> <p>Glenn Maid</p>
13:44:59	15 Jul 2015	Glenn	Maid	Glenn Maid	<p>Good Morning,</p> <p>There are nearly 50 wind energy projects listed on the APEX Clean Energy website.</p> <p>Please provide a total amount of subsidies all of these projects have garnered from inception to present; subsidies in the following areas.</p> <p>Production Tax Credits Investment Tax Credits (contrary to your claims, it's not just solar) State Tax Subsidies - total all the States together to save time if you like Renewable Energy Credits</p> <p>Glenn Maid</p>
13:25:20	13 Aug 2015	Glenn	Maid	Taylor Quarles	<p>Mr. Maid,</p> <p>The Lighthouse Wind project has received \$0 from the areas you mentioned. Our only filed document, the PIP, deals specifically with the Lighthouse Wind project. The other projects you mention fall outside of the scope of this PIP and the Article 10 process.</p> <p>Sincerely,</p> <p>Taylor</p>
13:36:33	13 Aug 2015	Glenn	Maid	Taylor Quarles	<p>Mr. Maid</p> <p>We inform any landowners who have signed or are considering signing a lease to consult their municipality on proper procedure and request that they recuse themselves in any matter involving the wind farm if they are a municipal officer. Additionally, our lease has a section which specifically requires potential participants to disclose whether they are a municipal officer, or a relation to a municipal officer. So far to our knowledge these officers who have signed have recused themselves properly.</p> <p>Regarding the Code of Conduct: We are still in active consultation with the Attorney General, and stated specifically by letter on April 1st that we would sign the code(this letter is attached). When the Attorney General's office generates and sends us this document, we will sign it. You description that Apex "refuses to sign the agreement" is false.</p> <p>To repeat what I sent you previously: As a private company, Apex does not have filing requirements with the SEC and, unlike publicly traded corporations, it does not have obligations to identify its investors. Indeed, we are obligated to preserve the confidentiality of the identity of the private investors in Apex, though we can confirm that no individual investor has the ability to exercise any control over the Lighthouse Project. Furthermore, we feel that requests for this information fall outside the scope intended in the PIP process of article 10.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
17:32:42	13 Jul 2015	Richard	Pucher	Richard Pucher	<p>Mr. Quarles,</p> <p>At the most recent Town of Yates Board meeting you indicated that the PSS will contain 41 topics. Would you please provide me a list of those topics.</p> <p>Thank you</p> <p>Richard P. Pucher</p>

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18:28:22	14 Jul 2015	Richard	Pucher	Taylor Quarles	<p>Mr. Pucher,</p> <p>I was referring to the exhibits required under article 10.</p> <p>These exhibits are listed on page 44 of the article 10 regulations from the link below: http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/143595fa3be36aea852579d00068b454/\$FILE/Article%2010%20Regulations.pdf</p> <p>Our upcoming Preliminary Scoping Statement(PSS) will outline our plans to complete each of these exhibits. This PSS will be available for public and agency review upon our submission, and will subsequently be revised to some extent in order take this review into consideration. Our application will then present the full details/results of the studies agreed to in our PSS. Our application will also be available for extensive public and agency review and comment.</p> <p>The point I was hoping to make at the board meeting was that this project is still at a very early stage. Article 10 is a very comprehensive process, such that details from these upcoming permitting documents will be fully available for any stakeholder to review. Our final permit would only be granted once we have completed the entire process and considered all of the stakeholders comments.</p> <p>Feel free to get in contact if you have any other questions.</p> <p>Sincerely,</p> <p>Taylor Quarles</p>
16:13	16 Jul 2015	John	Riggs	John Riggi	<p>From: DONN RIGGI [mailto:riggi53@verizon.net] Sent: Thursday, July 16, 2015 4:13 PM To: Lighthouse Wind; Taylor Quarles; Dan Fitzgerald Subject: July 22, 2015</p> <p>Greetings Mr. Quarles and Mr. Fitzgerald,</p> <p>It has come to my attention that APEX will be holding a landowner dinner on Wednesday Evening, July 22nd. It has also come to my attention that attendees include leaseholders and non-leaseholders. In your project documentation, you have indicated that you would have landowner dinners.</p> <p>Mr. Quarles and Mr. Fitzgerald, I am a resident of Yate and a landowner. I would like to attend your event. Please forward the details on the times and locations. Given that the Somerset Ad Hoc Committee meeting has been rescheduled so that it does not conflict with landowner dinner, I am free to attend. I'm looking forward the dinner!!</p> <p>Best Regards,</p> <p>John Riggi</p>
6:27	17 Jul 2015	John	Riggs	Dan Fitzgerald	<p>On Friday, July 17, 2015 6:27 AM, Dan Fitzgerald wrote:</p> <p>Mr. Riggi,</p> <p>Thank you for your email. The event that you are referencing is a private dinner for participating landowners and is not a public event, and therefore is why you are not invited to attend.</p> <p>As we have offered twice in the past, we are willing to meet with you and your Save Ontario Shores group to discuss the project. Please let me know if you are interested in having such a meeting.</p> <p>DAN FITZGERALD Senior Development Manager</p>
8:51	17 Jul 2015	John	Riggs	John Riggi	<p>On Friday, July 17, 2015 8:51 AM, DONN RIGGI wrote:</p> <p>Mr. Fitzgerald,</p> <p>How do you define participating landowners?</p> <p>John</p>

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14:53	20 Jul 2015	John	Riggi	John Riggi	<p>From: DONN RIGGI [mailto:riggi53@verizon.net] Sent: Monday, July 20, 2015 2:53 PM To: Dan Fitzgerald; Lighthouse Wind; Taylor Quarles Subject: Re: July 22, 2015</p> <p>Mr. Fitzgerald, You are, again, being untruthful. From your own flyer on the event: "We invite you and your family to join the Lighthouse Wind team on the evening of July 22nd at Becker Farms for an informal dinner and informational event to learn more about the Lighthouse Wind project's recent development successes and upcoming milestones. In addition to Dan and Taylor, we will have subject matter experts on hand to update folks on our efforts and answer questions. Dinner and drinks will be provided by Becker Farms." Wednesday, July 22 at 6pm Becker Farms and Vizcarra Vineyards 3724 Quaker Rd. Gasport, NY 14067 Mr. Fitzgerald, you have not responded to my question on how you define the term "participating" and now I understand why. You are not being truthful on the reason for this meeting. Your firm is hiding the real reason for this meeting. With that said, I would like to attend this information meeting. Please forward me the invitation to: Mr. John B. Riggi Lyndonville, NY 14098 I'm just hoping that I'll have enough time to run from the Somerset Committee meeting to the dinner. Oh wait....That's right.... The meeting was moved from 6pm to 4:30pm so that you can attend both meetings...Frankly, the least you owe your committee-mates for their trouble is a free dinner at Becker Farms. Looking forward to both events on Wednesday. Best Regards, John Riggi</p>
16:46	20 Jul 2015	John	Riggi	Dan Fitzgerald	<p>On Jul 20, 2015, at 4:46 PM, Dan Fitzgerald wrote: Dear Mr. Riggi,</p> <p>We are committed to ensuring that members of the public have accurate information about Lighthouse Wind, and we will continue to offer opportunities for the public to learn more about the project. We will also be holding several private meetings with various stakeholders and organizations, as recommended by the Article 10 process. The gathering on Wednesday is intended as a gesture of appreciation for some of the folks who have signed or who are likely to sign leases with the project. Given your position on the project, it does not seem appropriate to include you in this particular gathering.</p> <p>That said, as I have stated several times, we are open to meeting with you and your group to discuss this meeting. You seem to have little interest in meeting when you do not have an audience other than yourselves. Please let me know if you change your mind and would like information regarding the Lighthouse Wind project.</p> <p>Thank you.</p> <p>DAN FITZGERALD Senior Development Manager</p>
18:17	20 Jul 2015	John	Riggi	John Riggi	<p>From: Donn Riggi [mailto:riggi53@verizon.net] Sent: Monday, July 20, 2015 6:17 PM To: Dan Fitzgerald Cc: Lighthouse Wind; Taylor Quarles Subject: Re: July 22, 2015</p> <p>Mr. Fitzgerald,</p> <p>You need to read your invitation.</p> <p>When will I be receiving my invitation?</p> <p>John Riggi</p> <p>Sent from my iPhone</p>
19:51:34	21 Jul 2015	John	Riggi	Daniel Fitzgerald	<p>Mr. Riggi,</p> <p>We would be glad to meet with you and/or your group, SOS. As an important stakeholder in the process, your comments are being considered, along with all others we receive, as we continue the design of the project. We are also collecting all inquiries we receive throughout this process and our responses to them for our reports to the PSC. Our invitation welcoming SOS members to meet with us (sent by email and USPS on March 11, 2015) is still open; however we have not yet received a response. We would be happy resend this invitation if you would like.</p> <p>If, however, the invitation to which you are referring is the one that you quoted from in your email, I reiterate, the gathering on Wednesday is intended as a gesture of appreciation for some of the folks who have signed or who are likely to sign leases with the project. Given your position on the project, it is not appropriate to include you in this particular gathering. Please let me know if this invitation was erroneously sent to you.</p> <p>Thank you.</p>

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21:31:50	29 Jul 2015	Peg	Schwabel	Peg Schwabel	<p>Additional questions have come to mind since last month. Can you please provide answers to the following:</p> <p>Good morning, Mr. Quarles:</p> <ol style="list-style-type: none"> 1. In Kent County, Md, your spokesperson says Apex is not seeking state designation as a public utility? Therefore, when questioned, that person said, "No, Apex is considered an Independent Power Producer (IPP) and does not have any eminent domain authority." What are you seeking in Somerset and Yates? Will you have eminent domain authority in New York State? 2. Extensive studies have been done by the government and private organizations that have shown our area to be a major migratory bird path, yet you say you will do your own studies. What specific studies will you do that are different from those already done? 3. It was my understanding that at one time you stated the north boundary of the project was to be Lower Lake Road. Am I correct on that statement or incorrect? 4. Diagrams of leased land show leases below Lower Lake Road. Why did you lease land below this road? Please be specific as to the purposes of those leases. Staging area? Storage? Turbines? 5. Please reference Figure #6 of your PIP. What is the difference between a "coastal" boundary and a "project boundary"? Please note that the diagram you included as part of your PIP appears to go right to the lake shore and through the 145 houses on the waterfront. For the record, would you please clarify your position on the "project" boundary 6. Do you plan to propose that turbines be placed in the State Park or beside it? <p>Thank you. Peg Schwabel</p>
22:23:54	12 Aug 2015	Peg	Schwabel	Taylor Quarles	<p>Ms. Schwabel,</p> <p>Pardon my delay in responding, and find answers to your six questions below:</p> <ol style="list-style-type: none"> 1. We will not have the power of eminent domain in New York. 2. Our upcoming Preliminary Scoping Statement (PSS) will detail the specifics on the 41 different exhibits required in our eventual application. Many of these will deal with environmental and wildlife issues. Our studies will include extensive research of wildlife issues using multiple methods, including desktop analysis, third party biologists in the field, electronic monitoring with acoustic monitors and a radar unit, and consultation with subject matter experts in various agencies including the NYSDEC and USFWS. The results of these studies will be presented in our application and open to review by the agencies, siting board, and public. 3. We do not plan on placing any turbines north of Lower Lake Road. 4. In some cases a landowner will own multiple parcels throughout the project area, including parcels that will support turbines, and parcels that will not. We do not plan on placing any turbines north of Lower Lake Road. The application will include a layout of the project including all components. That layout is not complete at this time. 5. Our project area is the area in which the most intense studies take place. Because of the proximity of the area mentioned, we included it in our study area. We do not plan on placing any turbines north of Lower Lake Road. 6. No turbines will be placed in the Golden Hill State Park. Additionally, we do not plan on placing any turbines north of Lower Lake Road. There is the potential for turbines to be south of lower lake road, across from the park, although we have yet to propose any specific turbine layout. <p>Sincerely, Taylor Quarles</p>
17:12:20	13 Aug 2015	Peg	Schwabel	Peg Schwabel	<p>Good morning, Mr. Quarles:</p> <p>Thank you for your answers. I would, however, like more explanation regarding question #4 in which I asked the following:</p> <p>Diagrams of leased land show leases below Lower Lake Road. Why did you lease land below this road? Please be specific as to the purposes of those leases. Staging area? Storage? Turbines?</p> <p>Your answer for #4 states as follows: " In some cases a landowner will own multiple parcels throughout the project area, including parcels that will support turbines, and parcels that will not. We do not plan on placing any turbines north of Lower Lake Road. The application will include a layout of the project including all components. That layout is not complete at this time."</p> <p>I understand that you clearly say no turbines will be placed in the parcels directly across from waterfront homes and north of Lower Lake Road; however, from your answer, I interpret your message to be that support, i.e. staging, storage, and general activities of construction requiring heavy traffic and noise---all of which could go on for an extended period of time---may be a plan for the parcels north of Lower Lake Road and directly across from a neighborhood of lakefront homes. Am I correct? What exactly is meant by "support" of turbines?</p> <p>Peg Schwabel</p>
18:17:55	13 Aug 2015	Peg	Schwabel	Taylor Quarles	<p>Ms Schwabel,</p> <p>We are too early in our layout design process to know all the details you request at this time. Our upcoming PSS and Application will provide the component locations and all plans regarding staging and other construction activities.</p> <p>Sincerely, Taylor Quarles</p>