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March 09, 2026

Hon. Michelle L. Phillips (secretary@dps.ny.gov)
Secretary to the Commission
New York State Public Service Commission

Re: Case No. 15-F-0122 – Baron Winds Phase I

Dear Secretary Phillips:

Please accept this motion to reject Certificate Holders filing DMM1098, BW 4th Quarter 2025 Noise Complaint Log as being incomplete.

1. DMM1098 Advised on the Record of “2” General Noise Complaints while Neglecting “2” Icing Noise Complaints Previously Advised via DMM1092 that were not filed

On March 09, 2026 the Certificate Holder filed its first quarterly noise complaint log per DMM 527. It included two noise complaints from receptor R-1381 and R-1707 on November 11, 2025 and November 17, 2025. They were inexcusably closed by the Certificate Holder citing “No Abnormal Findings”.

On February 23, 2026, the case record reflects filing DMM1092 that informed the Department of Public Service, the Public Service Commission, and the Certificate Holder of the unaddressed noise complaints regarding “icing” events with “2” unfiled complaints. The “unfiled” complaints on November 11, 2025 and December 6, 2025 from receptors 1330D (Mr. Oehlbeck) and 3109H (Mr. Zigenfus) cited in DMM1092 were noticeably not included in DMM1098 filing. This is despite having been served with the evidence of complaints filed some “9” business days before the Certificate Holder filing DMM1098 and being asserted as incomplete herein.

DMM Item Number:

- (DMM1092) November 11, 2025 – complaint filed for icing by Mr. Oehlbeck (receptor 1330D) to email address in Certificate Condition 45 baroninfo@rwe.com, was not acknowledged by RWE. **No log filed, still unresolved for Vestas V150-4.2MW logs of ice detection failure**
- (DMM1092) December 6, 2025 – complaint filed for icing (receptor 3109H) with Project Development Manager via text same as DMM 1011, acknowledged and Turbines shut down shortly after. **No log filed, still unresolved for Vestas V150-4.2MW ice detection failure**

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2. Conclusions

Although officially served with the complaints via DMM1092, the Certificate Holder failed to disclose "2" icing complaints within their quarterly Noise Complaint Log filing DMM1098. It's unclear whether this was an oversight on part of the Certificate Holder. None the less, the November and December 2025 icing events referred to herein with Vestas V150-4.2MW have yet to be filed by the Certificate Holder. Furthermore, when will the failures of these turbines to detect icing events be resolved? What evidence is there that Phase II will have resolved turbine failure to detect icing events as proven and on the record for Phase I?

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CZigenfus'.

Chad G. Zigenfus

cc: Party List (via DMM and e-mail)