Summary of SCATE Joint Proposal

(Case 25-T-0246)

Background

On April 16, 2025, as supplemented on July 17, 2025, New York State Electric & Gas Corporation ("NYSEG" or "Applicant") filed application documents (collectively, the "Application") in Case 25-T-0246 seeking an Article VII Certificate of Environmental Compatibility and Public Need for a project ("Project"), called the "Steuben-Chemung Area Transmission Enhancement Project" to: rebuild its existing 230 kilovolt ("kV") electric transmission Lines 68, 69 and 72 ("Existing Lines") that run a distance of approximately 52 miles from the Canandaigua Substation in the Town of Cohocton in Steuben County to the Watercure Substation in the Town of Elmira in Chemung County. The rebuilt Lines ("Proposed Lines") will be built on an offset, ranging from approximately 65 to 115 feet, along the Existing Lines' right-of-way ("Existing ROW").

The Project includes replacement of all the Existing Lines' conductors, insulators, and many, but not all existing structures, installation of stormwater management features, establishment of one or more temporary laydown/staging areas and marshaling yards, and construction or improvement of supporting access roads. Project construction activities will occur primarily within Existing ROW, which the Applicant holds by a combination of fee ownership and easement rights. The Environmental Management and Construction Plan ("EM&CP") will specify areas where NYSEG will need to acquire additional property rights to: (i) expand the width of Existing ROW for required clearances; (ii) enhance the Applicant's rights on the Existing ROW; (iii) establish new ROW for the Project; (iv) allow for the off-ROW access of construction vehicles and equipment for the duration of construction; (v) facilitate the storage of materials, equipment, vehicles, job trailers, and other similar uses (e.g., staging area(s), laydown yard(s), and marshaling yard(s)); and (vi) acquire additional rights outside of the Existing ROW to selectively remove trees if they pose a risk to Project facilities.

The Project will enable NYSEG to continue to ensure reliable service in the Hornell and Elmira Divisions and achieve the goals of the Climate Leadership and Community Protection Act ("CLCPA").

Joint Proposal

Following extensive settlement negotiations among the settlement participants, the Applicant filed a Joint Proposal in this case on October 27, 2026. The Joint Proposal, which includes five appendices, was signed by NYSEG, Staff of the New York State Department of Public Service designed to represent the public interest in this proceeding ("DPS Staff"), the New York State Department of Environmental Conservation ("NYSDEC"), the New York State Department of Agriculture and Markets ("NYSAGM"), and the New York State Department of Transportation (collectively, the "Signatory Parties").

The Joint Proposal includes numerous proposed ordering clauses that the Signatory Parties recommend the Commission adopt. These are located in Appendix D. The certificate conditions would impose stringent requirements on NYSEG to address important concerns such as public

notice, health and safety, the detailed site-specific contents of the EM&CP, ROW restoration, and protection of environmental resources. As a result of the settlement negotiations among the Signatory Parties, two changes to the original scope of the Project were agreed upon. First, two marshalling/laydown yards were identified as appropriate locations for temporary storage of materials and supplies for the Project. Second, depending on whether and when a point of interconnection switchyard is installed by a third-party wind project developer ("Van Auker POI"), NYSEG will notify the DPS Secretary before it commences construction at the anticipated Van Auker POI site whether the Project will be constructed without connection to the POI. If the Van Auker POI is installed before construction begins on the Project, NYSEG intends to assign a new line designation of "Line 74" to a portion of the Existing Line 68 at the Van Auker POI and retain the line designation of "Line 68" on the remainder of Existing Line 68.

The Joint Proposal also includes several Project-specific environmental resource avoidance, minimization and mitigation provisions.

Project-Specific Environmental Protection Provisions

- NYSEG will limit clearing of natural vegetation to that material which poses a hazard or hindrance to the construction, operation, or maintenance of the Proposed Lines.
- NYSEG will comply with various requirements to protect, and avoid or minimize, unavoidable impacts to, wetlands and water resources.
- NYSEG requested an initial freshwater wetland jurisdictional determination ("JD") for the Project from NYSDEC in June 2026. In light of a recent court order annulling the NYSDEC freshwater wetland regulations enacted in 2025, NYSDEC will be consulted during the EM&CP phase to confirm the status of NYSDEC's applicable freshwater jurisdiction relative to any additional Project Area not addressed by the initial Project JD.
- NYSEG will implement various sediment and erosion control methods, which may include silt fencing, use of equipment mats, and planting/seeding/mulching of exposed soils, to prevent soil erosion and sedimentation in nearby wetlands and surface waters due to runoff. All erosion and sediment control techniques will be identified during final design and will be included in the EM&CP.
- Potential visual impacts from the Project are minimized due to its location within the Existing ROW and the placement of proposed structures adjacent to or in close proximity to those structures being replaced. The Signatory Parties have determined that visual impacts from the Project will be minimal and therefore no mitigation is necessary.
- NYSEG will comply with various requirements to avoid, minimize, and mitigate, if necessary, any impacts to the northern long-eared bat in the vicinity of the Project. Should the tri-colored bat ("TCB") become federally listed under the Endangered Species Act, NYSEG will consult with the United States Fish and Wildlife Service and the NYSDEC to confirm that the avoidance, minimization, and, if necessary, mitigation measures are in compliance with the substantive requirements of the Environmental Conservation Law and its regulations to avoid impacts to the TCB and shall implement those measures upon receiving such confirmation.
- To avoid, minimize, and mitigate, if necessary, any impacts to bald eagles in the Project vicinity, NYSEG will keep drones and helicopters at least 1,000 feet away from bald eagle nests during construction from January through August unless a qualified monitor is on site

or unless such use is necessary to protect human life or property necessary for service reliability.

- To avoid, minimize, and mitigate, if necessary, any impacts to northern harrier and short-eared owl, NYSEG will endeavor to avoid construction activities during the period of November 1 to March 30 of the following year in contiguous open fields of greater than 25 acres in the area between existing structure 92 and 109. If avoidance is not feasible, minimization measures will be employed in the occupied habitat.
- For each road crossing and location where construction vehicles will access the Project ROW frequently from local roadways, NYSEG will implement a Maintenance and Protection of Traffic plan that identifies procedures to be used to maintain traffic and provide a safe construction zone for those activities within the roadway ROW.
- To minimize noise effects during construction, the Project will limit construction activities to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday. If, due to safety or continuous operation requirements, construction activities are required to occur outside of these hours or on Sunday, advance notice will be provided to the Commission and the affected municipality unless safety considerations prohibit making such advance notice.
- While the Project is anticipated to have little to no permanent impact on agricultural operations due to the Project primarily utilizing the Existing ROW and will not result in an increase of structures located within active agricultural land, NYSEG will adhere to applicable protective methods set forth in the NYSAGM guidelines to reduce impacts on agricultural land. Upon determination of a final alignment and during development of the EM&CP, the Applicant will coordinate with NYSAGM and associated property owners to reduce, eliminate, or mitigate impact, where applicable.

CLCPA Consistency

The Joint Proposal reflects the Signatory Parties' agreement that the Project is not inconsistent with and will be designed to support achievement of CLCPA goals. As required by the CLCPA, NYSEG considered Project impacts, if any, on Disadvantaged Communities. NYSERDA Disadvantaged Community mapping identified three Disadvantaged Community census blocks that are traversed by the Project. However, the Project is the rebuild of an existing electric transmission line within the same ROW and, as a transmission line, it will not represent a source of greenhouse gas or co-pollutant emissions in these Disadvantaged Communities. Accordingly, the Project will not disproportionately burden these Disadvantaged Communities.