

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 24-T-0710 - Application of New York State Electric & Gas Corporation for a Certificate of Environmental Compatibility and Public Need, Pursuant to Article VII of the Public Service Law, for the Finger Lakes Area Infrastructure Reliability Project.

NOTICE OF JOINT PROPOSAL AND OPPORTUNITY FOR PUBLIC COMMENT

(Issued June 2, 2026)

On May 28, 2026, New York State Electric & Gas Corporation (NYSEG) filed a Joint Proposal signed by NYSEG, trial staff of the New York State Department of Public Service, the New York State Department of Environmental Conservation, the New York State Department of Transportation, and the New York State Department of Agriculture and Markets (collectively, the Signatory Parties).

The Joint Proposal contains the terms, conditions, practices, and guidelines recommended by the Signatory Parties for inclusion in a Certificate of Environmental Compatibility and Public Need (Certificate). The Certificate, if granted, would authorize NYSEG to rebuild its existing Line 982, a 115-kilovolt transmission line that runs about 21 miles from the Montour Falls Substation in the Town of Montour, Schuyler County, to the Coddington Substation in the Town of Ithaca, Tompkins County (the Project). NYSEG proposes to rebuild Line 982 primarily on or near the centerline of, and wholly within the existing right of way. The Project includes replacement of the existing line's conductors, insulators, and existing structures, as well as the installation of stormwater management features, establishment of one or more temporary staging areas and marshaling yards, and the construction or improvement of

access roads. The activities proposed to be performed in connection with the Project will take place in Schuyler County in the Towns of Montour, Catherine, and Hector, and in Tompkins County in the Towns of Enfield, Newfield, Danby, and Ithaca.

A summary of the Joint Proposal, prepared by NYSEG, is attached to this Notice. The full Joint Proposal and all related documents may be viewed on the Department of Public Service's (Department) website by going to www.dps.ny.gov, clicking on "File Search" (located under the heading "Commission Files"), entering "24-T-0710" in the "Search by Case Number" field, and clicking "Search."

The Public Service Commission (Commission) may adopt, adopt with changes, or reject, in whole or in part, any of the terms of the Joint Proposal. The Commission also may adopt terms other than those proposed.

PLEASE TAKE NOTICE that interested persons are invited to submit comments pertaining to the Project and the terms of the Joint Proposal. Comments should refer to "Case 24-T-0710" and be submitted **by June 29, 2026**. Please be advised that untimely comments may not be considered by the Commission. Comments may be submitted using one of the following methods:

Internet or Mail: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter "24-T-0710" in the "Search by Case Number" field, and then click on "Post Comments" at the top of the page.

Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 1223-1350; however, electronic filing of comments is strongly encouraged.

Written comments submitted in accordance with this Notice will be posted on the Department's website. Comments may

be accessed by searching the case number, as described above, and clicking on the "Public Comments" tab.

Toll-Free Opinion Line: Individuals may choose to submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This number is set up to receive comments about pending cases from in-State callers, 24-hours a day. These comments are not transcribed verbatim, but a summary is provided to the Commission.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

Summary of FLAIR Joint Proposal
(Case 24-T-0710)

Background

On December 18, 2024, as supplemented on March 27, 2025, New York State Electric & Gas Corporation (“NYSEG” or “Applicant”) filed application documents (collectively, the “Application”) in Case 24-T-0710 seeking an Article VII Certificate of Environmental Compatibility and Public Need for a project (“Project”) called the “Finger Lakes Area Infrastructure Reliability Project” to: rebuild its existing Line 982 (“Existing Line”), a 115 kilovolt (“kV”) electric transmission line that runs a distance of approximately 21 miles from the Montour Falls Substation in the Town of Montour in Schuyler County to the Coddington Substation in the Town of Ithaca in Tompkins County. The rebuilt Line 982 (“Proposed Line”) will be located primarily on or near the centerline of, and wholly within, the Existing Line’s right-of-way (“ROW”).

The Project includes replacement of all the Existing Line’s conductor, insulators, and existing structures, installation of stormwater management features, establishment of one or more temporary laydown/staging areas and marshalling yards, and construction or improvement of supporting access roads. Project construction activities will occur primarily within existing electric transmission 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) allow for the off-ROW access of construction vehicles and equipment for the duration of construction; (ii) facilitate the storage of materials, equipment, vehicles, job trailers, and other similar uses (e.g., staging area(s), laydown yard(s), and marshalling yard(s)); (iii) install, occupy, operate, access, and maintain the Project facilities upon railroad property; (iv) enhance the Applicant’s rights on Existing ROW (including the potential removal of structures therefrom); and (v) acquire additional rights outside of the Existing ROW to selectively remove trees if they pose a risk.

The Project will enable NYSEG to continue to ensure reliable service in its Elmira and Ithaca Divisions and is not inconsistent with 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 May 28, 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”); and the New York State Department of Agriculture and Markets (“NYSAGM”) (collectively, the “Signatory Parties”).

The Joint Proposal includes numerous proposed certificate conditions 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, the Joint Proposal also includes a proposed design change in most Project locations from monopoles to shorter H-Frame structures and several Project-specific environmental resource avoidance, minimization and mitigation provisions.

Project Structure Design Change

The Joint Proposal includes certain revisions to the Application, which the Signatory Parties agree improve the Project with respect to constructability and potential visual impact. Thus, the Joint Proposal reflects the Settlement Parties' recommendation that the Commission certify a design change in most locations from the monopoles that NYSEG originally proposed to shorter H-Frame structures. This change was made in response to community feedback, including input from customers, municipalities and individuals in the Article VII proceeding, and as a result of further constructability reviews during the Project design and settlement processes. Specifically, the revised design primarily uses steel H-frame structures instead of monopoles, maintains the existing right-of-way, and limits monopole use to just four locations in the Cayuga Inlet area to help protect sensitive resources and infrastructure.

This design change proposed in the Joint Proposal allows the Project to meet modern reliability and safety standards while minimizing changes to the landscape and maintaining consistency with existing infrastructure, and retains the use of ACSR conductors based on their demonstrated performance, compatibility with existing electric transmission system design standards, and cost-effectiveness, without necessitating specialized installation practices or system modifications associated with HTLS or ACSS conductor technologies.

Project-Specific Environmental Protection Provisions

- Blasting will not be used for construction of the Project.
- 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 Line.
- NYSEG will comply with various requirements to protect, and avoid or minimize, unavoidable impacts to, wetlands and water resources, including required setbacks from such resources for activities such as equipment refueling and repair as well as chemical storage tank placement.
- 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 determine if the existing wetland delineation is sufficient or if a new wetland jurisdiction determination for the Project will be required.
- NYSEG will comply with various requirements for sediment and erosion control, 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.

- Herbicide will not be used during construction of the Project and no aquatic pesticides will be applied on the ROW. Post-construction, herbicide application will be consistent with the applicable herbicide label and will be performed in consultation with NYSDEC to determine the applicable applicator license(s) or NYSDEC guidance letter regarding the application, and if any federally delegated permits are required.
- Potential visual impacts from the Project are minimized due to its location within the Existing ROW, the change in the proposed structure design to H-Frames that are shorter than the originally proposed monopoles, 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 ECL 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 during construction, NYSEG will not utilize drones or helicopters within 1,000 feet from bald eagle nests during the period from January to September unless a qualified monitor is on site or unless such use is necessary to protect human life or property necessary for service reliability.
- 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 impacts 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 Sundays, advance notice will be provided to the Commission and the affected municipality unless safety considerations prohibit making such advance notice.
- While the Project is not anticipated to have adverse impacts on agricultural operations, as it is located within the Existing ROW, the Applicant will adhere to applicable protective methods set forth in the NYSAGM guidelines to reduce impact to 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 the CLCPA goals. As required by the CLCPA, NYSEG considered Project impacts, if any, on Disadvantaged Communities. NYSED

Disadvantaged Community mapping identified two Disadvantaged Community census blocks within 3 miles of the Project, one of which is 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.