STATE OF NEW YORK
DEPARTMENT OF PUBLIC SERVICE
OFFICE OF RENEWABLE ENERGY SITING
AND ELECTRIC TRANSMISSION

COMBINED NOTICE OF AVAILABILITY OF DRAFT PERMIT CONDITIONS, PUBLIC COMMENT PERIOD AND PUBLIC COMMENT HEARING, AND COMMENCEMENT OF ISSUES DETERMINATION PROCEDURE

Applicant: NY North Country, LLC, c/o Terra-Gen, LLC
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Facility Location: Towns of Bellmont, Burke, and Chateaugay, Franklin County, and the Town of Clinton, Clinton County

Applicant's Attorney: James Muscato II
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ORES DMM Matter No.: 23-02973

Facility Description: Applicant applied to the Office of Renewable Energy Siting and Electric Transmission (Office or ORES) for a permit pursuant to Public Service Law article VIII to construct and operate a 360-megawatt (MW) wind energy facility known as the North Country Wind Project located in the Towns of Bellmont, Burke, and Chateaugay, Franklin County, and the Town of Clinton, Clinton County. The facility would include up to 80 wind turbines and associated support facilities, including a medium voltage collection system, gravel access roads, permanent meteorological towers, aircraft detection lighting system towers, temporary construction laydown areas, a temporary concrete batch plant, an operations and maintenance facility, and a medium voltage to transmission voltage collection substation. Applicant would also construct a new point of interconnect ("POI") switchyard and 345-kV high-voltage loop-in and loop-out transmission lines (New York Power Authority facilities) adjacent to its collector substation. Upon completion, the ownership of these New York Power Authority facilities would be transferred over to the New York Power Authority.

Applicant filed the application with the Office on February 13, 2026. A notice of complete application was issued on September 18, 2026 (see https://dps.ny.gov/ores-permit-applications, select Project Permit Application Number 23-02973).

ORES staff published draft permit conditions on November 17, 2026. The draft permit conditions may be accessed at https://dps.ny.gov/ores-permit-applications, select Project Permit Application Number 23-02973.

ORES Staff Position: On issuing the draft permit conditions, ORES staff takes the position that the proposed facility, together with the uniform and site-specific standards and conditions contained in the draft permit, would comply with applicable laws and regulations. ORES staff recommends that the Office elect not to apply, in whole or in part, any local law or ordinance that as applied to the facility is unreasonably burdensome in view of the Climate Leadership and Community Protection Act targets and the environmental benefits of the proposed facility.

Public Comment Hearing: A public comment hearing pursuant to 16 NYCRR part 1100 to hear and receive unsworn comments from the public will be held at **Town of Burke Town Hall, 5165 State Route 11, Burke, NY 12917 on Wednesday, January 20, 2027, at 6:00 p.m**.

All persons, organizations, corporations, or government agencies who may be affected by the facility are invited to attend the hearing and comment on the application and the draft permit conditions. 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. Lengthier comments should be submitted in writing. Equal weight will be given to both oral and written comments. The public comment hearing will be transcribed for inclusion in the administrative record.

The hearing location is reasonably accessible to persons with a mobility impairment. Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resource Management Office at (518) 473-9463 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at (800) 342-3377 for free language assistance services.

In the event that the 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.

Written Public Comments: Written comments concerning the application and the draft permit conditions must be filed with ORES by **4:30 p.m. on Friday, January 22, 2027**. Persons filing written comments are strongly encouraged to post their comments on the Department of Public Service (DPS) Document and Matter Management (DMM) system. To post a comment, go to https://dps.ny.gov/ores, click on "ORES Permit Applications," click on Project Permit Application Number 23-02973, and click on "Post Comments" in the upper right-hand corner of the screen.

Written comments may also be emailed to ORES at ores.comments@dps.ny.gov or mailed to the Office of Renewable Energy Siting and Electric Transmission, Three Empire State Plaza, Albany, NY 12223-1350. Please reference Project Permit Application Number 23-02973.

Written comments will be considered equally with oral statements delivered at the public comment hearing, provided they are postmarked by **Friday, January 22, 2027**, or e-mailed or posted on DMM by 4:30 p.m. on that date.

Please take notice that written public comments will be publicly posted on DMM. ORES reserves the right not to post duplicate or repeat comments. In addition, ORES reserves the right to remove, without notice, comments containing any defamatory, infringing, obscene, indecent, discriminatory, confidential, or unlawful material or information of any kind.

Issues Determination Procedure: Pursuant to 16 NYCRR 1100-8.3(b), a pre-adjudicatory issues determination procedure will be conducted by the assigned ALJs. The procedure will be conducted solely on papers and briefing unless the ALJs, in the judges' sole discretion, determines that oral argument is necessary. The purpose of the issues determination procedure is to determine party status for any person or organization that has properly filed a petition (as indicated below), and to narrow and define those issues, if any, that will require adjudication in this matter. Participation in the issues determination procedure is limited to ORES staff, applicant, and those persons or organizations requesting party status.

Filing for Party Status and Proposed Issues: Persons seeking to participate in the issues determination procedure and any subsequent adjudicatory hearing must register on DMM and file a written petition explaining whether their request is for full party status or amicus status. For the required contents of petitions for full party status, see 16 NYCRR 1100-8.4(c)(1) and (2). To determine whether an issue is substantive and significant, see 16 NYCRR 1100-8.3(c)(2) and (3). For the required contents of a petition seeking amicus status, see 16 NYCRR 1100-8.4(c)(1) and (3). Petitioners may also file written briefs making arguments in support of their petitions.

All petitions requesting party status and briefs in support must be E-Filed on DMM no later than **4:30 p.m. on Monday, January 25, 2027**. Instructions for registering in DMM and E-Filing documents may be found at: https://dps.ny.gov/dmm-help-electronic-filing-registration-instructions.

Address all petitions to John L. Favreau, Administrative Law Judge, Office of Hearings and Alternative Dispute Resolution, New York State Department of Public Service, 3 Empire State Plaza, Albany, NY 12223, telephone: (518) 474-4521, email: john.favreau@dps.ny.gov, and Christopher McEneney Chan, Administrative Law Judge, Office of Hearings and Alternative Dispute Resolution, New York State Department of Public Service, 3 Empire State Plaza, Albany, NY 12223, telephone: (518) 474-4521, email: christopher.mceneneychan@dps.ny.gov.

At the same time petitions and briefs are E-Filed on DMM, a copy of all papers must be emailed to the ALJs at the email address above, and furnished to applicant NY North Country, LLC's attorney, James Muscato II, Young/Sommer, LLC, 500 Federal Street, 5th Floor, Troy, NY 12180, telephone: (518) 438-9907, Email: jmuscato@youngsommer.com; and to ORES at the Office of Renewable Energy Siting and Electric Transmission, Three Empire State Plaza, Albany, NY 12223-1350, (518) 473-4590, ores.hearings@dps.ny.gov. Service of petitions and briefs by email is authorized provided they are received by all of the above parties and the ALJ by the 4:30 p.m. deadline.

Any questions about filing requirements or other hearing procedures may be addressed to Chief ALJ James T. McClymonds by telephone at (518) 473-4583. ORES's regulations may be found at https://dps.ny.gov/ores-regulatory-documents.

Statement of Compliance with Local Laws and Regulations: Any municipality, political subdivision or an agency thereof that received notice of the filing of the application pursuant to 16 NYCRR 1100-1.6(a) must file a statement indicating whether the proposed facility is designed to be sited, constructed and operated in compliance with applicable local laws and regulations in effect as of February 13, 2026, if any, concerning the environment, or public health and safety. The statement must be filed and served by **4:30 p.m. on Monday, January 25, 2027,** in the same manner as petitions for party status. **Any municipality, political subdivision, or an agency thereof that proposes to adjudicate any issues related to a facility's compliance with local laws and regulations must file a petition for party status as provided for in 16 NYCRR 1100-8.4(c) and include the statement of compliance with local laws and regulations.**

Applicant Statement of Issues: No later than **4:30 p.m. on Monday, January 25, 2027,** applicant shall file and serve on ORES staff and the ALJs a statement of issues applicant intends to raise with respect to any determination of the Office, and briefing in support. Applicant shall serve the statement of issues and brief on persons filing petitions for party status within five (5) days of such filing. For the required contents of an applicant's statement of issues, see 16 NYCRR 1100-8.4(b)(1).

Responsive Briefing and Response to Comments: No later than **4:30 p.m. on Tuesday, February 16, 2027,** ORES staff may file and serve a response to any petitions for party status, any statement of issues by applicant, and the statement of compliance with local laws and regulations. By the same deadline, applicant may file and serve a response to any petition for party status or statement of compliance with local laws and regulations. In addition, the applicant shall file and serve on ORES staff a response to public comments received during the public comment period, including any supplemental information.

Document Availability: Copies of all application materials and draft permit conditions are available for inspection by appointment during normal business hours at the Office's Albany office located at: Office of Renewable Energy Siting and Electric Transmission, New York State Department of Public Service, Empire State Plaza, Agency Building 3, Albany, NY 12223-1350. To make an appointment, contact the Office by telephone at (518) 473-4590, or email at ores.hearings@dps.ny.gov. Electronic copies are available at https://dps.ny.gov/ores-permit-applications, select Project Permit Application Number 23-02973.

Copies of all application materials are also available at the Chateaugay Memorial Library, 4 John Street, Chateaugay, NY 12920.

Statutory and Regulatory Provisions: The application is being processed and this proceeding is being conducted according to Public Service Law article VIII and 16 NYCRR part 1100 (effective July 17, 2024).

James T. McClymonds
Chief Administrative Law Judge for Article VIII Siting

November 18, 2026
Albany, New York