

BEFORE THE
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Verified Joint Petition of ACP Crotona Holdings, L.P., Argo Infrastructure Partners LP, and Apollo Global Management, Inc. for a Declaratory Ruling Regarding the Applicability of Section 70 of the New York Public Service Law or, in the Alternative, an Order Approving a Proposed Transaction Pursuant to Section 70 of the New York Public Service Law

Case 25-G-_____

VERIFIED JOINT PETITION OF ACP CROTONA HOLDINGS, L.P., ARGO INFRASTRUCTURE PARTNERS LP, AND APOLLO GLOBAL MANAGEMENT, INC. FOR A DECLARATORY RULING REGARDING THE APPLICABILITY OF SECTION 70 OF THE NEW YORK PUBLIC SERVICE LAW OR, IN THE ALTERNATIVE, AN ORDER APPROVING A PROPOSED TRANSACTION PURSUANT TO SECTION 70 OF THE NEW YORK PUBLIC SERVICE LAW

Brian T. FitzGerald
Gregory G. Nickson
Cullen and Dykman LLP
80 State Street, Suite 900
Albany, New York 12207
Tel: (518) 788-9440
bfitzgerald@cullenllp.com
gnickson@cullenllp.com

*Attorneys for ACP Crotona Holdings, L.P.
and Argo Infrastructure Partners LP*

James A. Muscato, II
Laura B. Darling
Young/Sommer LLC
Five Palisades Drive
Albany, New York 12205
Tel: (518) 438-9907
jmuscato@youngsommer.com
ldarling@youngsommer.com

*Attorneys for Apollo Global Management,
Inc.*

Dated: April 1, 2025

BEFORE THE
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Verified Joint Petition of ACP Crotona Holdings, L.P., Argo Infrastructure Partners LP, and Apollo Global Management, Inc. for a Declaratory Ruling Regarding the Applicability of Section 70 of the New York Public Service Law or, in the Alternative, an Order Approving a Proposed Transaction Pursuant to Section 70 of the New York Public Service Law

Case 25-G-_____

VERIFIED JOINT PETITION OF ACP CROTONA HOLDINGS, L.P., ARGO INFRASTRUCTURE PARTNERS LP, AND APOLLO GLOBAL MANAGEMENT, INC. FOR A DECLARATORY RULING REGARDING THE APPLICABILITY OF SECTION 70 OF THE NEW YORK PUBLIC SERVICE LAW OR, IN THE ALTERNATIVE, AN ORDER APPROVING A PROPOSED TRANSACTION PURSUANT TO SECTION 70 OF THE NEW YORK PUBLIC SERVICE LAW

I. INTRODUCTION

Pursuant to 16 NYCRR Part 8, ACP Crotona Holdings, L.P. (“ACP Crotona Holdings”), Argo Infrastructure Partners LP (“Argo”), and Apollo Global Management, Inc. (“Apollo” and collectively, the “Petitioners”) hereby jointly petition the New York Public Service Commission (“Commission” or “PSC”) for a declaratory ruling that the Commission need not review under New York State Public Service Law (“PSL”) § 70 a proposed transaction (the “Proposed Transaction”) through which Argo Infrastructure Partners LLC (“Argo GP”), the existing general partner of ACP Crotona Holdings, will be replaced with a new general partner that is wholly-owned by Apollo through one or more wholly Apollo-controlled subsidiary holding companies. ACP Crotona Holdings is an indirect owner of Corning Energy Corporation (“CEC”), CEC’s New York regulated subsidiary, Corning Natural Gas Corporation (“Corning LDC”), three of CEC’s non-New York subsidiaries, Pike County Light & Power, LLC (“Pike”), Leatherstocking Gas Company, LLC (“Leatherstocking PA”), and Leatherstocking Pipeline Company, LLC

(“Leatherstocking Pipeline”). ACP Crotona Holdings does not maintain direct control over CEC or Corning LDC. In the alternative, the Petitioners respectfully request that the Commission approve the Proposed Transaction, without modification or condition, subject to PSL § 70 and any other statutory or regulatory provision deemed applicable.

The Petitioners respectfully submit that the Proposed Transaction is outside the scope of PSL § 70 because the Proposed Transaction will not result in a change in ownership of ACP Crotona Holdings, and therefore, no change in ownership of CEC or its subsidiaries, including Corning LDC. To the extent the Commission determines the Proposed Transaction requires approval under PSL § 70, the Petitioners respectfully request that the Commission approve the Proposed Transaction as it is in the public interest and will not result in any harm to captive ratepayers because: 1) the Proposed Transaction poses no risk to Corning LDC customers; 2) the Proposed Transaction will not directly impact the management or operation of CEC or Corning LDC; 3) the Proposed Transaction is structured to ensure the continuation of safe, reliable and cost-effective delivery of gas and quality customer service to Corning LDC’s customers; and 4) the Proposed Transaction will allow Corning LDC to be fully supported by a strongly positioned affiliate for purposes of access to capital markets, at potentially more favorable terms than exist today.

Petitioners are targeting a second quarter 2025 closing for the Proposed Transaction. Therefore, Petitioners request expedited review of this Petition and request Commission action on the petition no later than at the Commission’s June, 2025 session.¹ Consummation of the Proposed

¹ Petitioners expect to submit similar petitions to the Commission under PSL §§ 99/100 and 70 related to replacing Argo-controlled entities with Apollo-controlled entities as the managing member of investment funds owning indirect ownership interests in TierPoint Fiber, LLC and Cross-Sound Cable Company, LLC / Hudson Transmission Partners, LLC, respectively.

Transaction will be subject to the satisfaction of closing conditions, including, among others, receipt of required regulatory approvals and requisite investor consent.

II. BACKGROUND

A. Description of the Petitioners and Other Relevant Parties

1. ACP Crotona Holdings, L.P.

ACP Crotona Holdings, a Delaware limited partnership, is the immediate parent of ACP Crotona Corp. and the indirect parent of CEC and its subsidiaries. ACP Crotona Holdings and ACP Crotona Corp. were formed by Argo to invest in CEC and its subsidiaries via affiliates of certain Argo investment funds. In Case 21-G-0260, the Commission approved the merger of ACP Merger Sub, an affiliate created by Argo, into CEC, with CEC continuing as the surviving corporation and as a wholly-owned subsidiary of ACP Crotona Corp, finding that the transaction was in the public interest.² ACP Crotona Holdings is currently managed by Argo GP.

2. Argo Infrastructure Partners, LP

Argo, a Delaware limited partnership, is an independent infrastructure investment management firm headquartered in New York, which raises capital from pension funds, insurance companies, and other large cap institutional investors to invest in long-duration infrastructure investments. Argo seeks to invest in high-quality U.S. infrastructure assets that provide essential services to the communities they serve, including regulated utilities, contracted power and renewables and other long duration assets or concessions.

² Case 21-G-0260 et al. - Joint Petition of Corning Natural Gas Holding Corporation, Corning Natural Gas Corporation, ACP Crotona Corp. and ACP Crotona Merger Sub Corp. for Approval, Pursuant to Section 70 of the New York Public Service Law, of the Merger of ACP Crotona Merger Sub Corp. into Corning Natural Gas Holding Corporation with Corning Natural Gas Holding Corporation as the Surviving Corporation and Wholly-Owned Subsidiary of ACP Crotona Corp., Order Adopting Terms of Joint Proposal, Establishing Rate Plan and Approving Merger at 77 (June 16, 2022) (“Merger Order”).

Argo currently manages over \$6 billion of investment capital in 18 infrastructure projects and businesses in North America. Those businesses include regulated utilities such as Corning LDC; Cross-Sound Cable Company, LLC and Hudson Transmission Partners, LLC, which both own and manage electric transmission in the Northeast power grid; a 25.2 percent upstream ownership interest in Duquesne Light Company, which services the Pittsburgh, Pennsylvania area, and water and wastewater utility concession companies in New Jersey and Pennsylvania; renewable electric generation, a portion of which is in the New York Independent System Operator market, and energy storage serving customers in California; and contracted power investments, including a 1.1 GW natural gas-fired power plant in the Southwest Power Pool Region, and a 525 MW gas-fired cogeneration plant operating in the Midcontinental System Operator.

Through its managed funds, Argo controls 100% of the common stock of CEC. Argo is controlled by its general partner, Argo GP. The sole member of Argo GP is arGo LP. arGo LP is controlled by its general partner, Argo Partners GP LLC, whose sole member is Jason Zibarras.

3. Apollo Global Management, Inc.

Apollo is a publicly traded U.S. company (NYSE symbol “APO”) with its principal place of business at 9 West 57th Street, 42nd Floor, New York, New York 10019. A copy of Apollo’s Certificate of Incorporation is attached hereto at Exhibit B. Founded in 1990, Apollo is one of the largest alternative asset managers in the world and manages money for some of the largest endowments, educational institutions, and pension funds.

Apollo is headquartered in New York City and employs over 5,000 people in 33 offices around the world. As of the end of 2024, Apollo had \$751 billion of assets under management, including \$27 billion invested in infrastructure assets across North America and Europe. Since its inception, Apollo has consistently grown its assets under management and has a strong financial

track record. The management of infrastructure funds with energy investments has become a key part of Apollo's overall business.

The asset portfolio managed by Apollo's infrastructure platform includes companies in the power and renewables, transportation, and communications sectors. For example, Apollo-managed investment funds own Caledonia Generating LLC, an 801 MW gas-fired, combined-cycle power plant located near Caledonia, Mississippi. Further, Apollo-managed investment funds own or control generation companies located in the Electric Reliability Council of Texas (ERCOT) region and in Hawaii.

However, Apollo does not currently have ownership interests in significant energy facilities or assets within the control area operated by the New York Independent System Operator, Inc. (NYISO) or the adjacent, multi-state control areas operated in the Northeast by ISO New England, Inc. (ISO-NE) and in the Mid-Atlantic by PJM Interconnection, LLC (PJM). As of the date of this filing, Apollo and its respective affiliates do not have ownership interests in: electric generating or distribution facilities in New York, other than certain small and community solar facilities; entities that are scheduling coordinators, reliability coordinators, or balancing area authorities in New York; energy services companies (ESCOs) in New York; electric or gas transmission or distribution providers³ in New York; or entities that can exercise control over the provision of fuels used in generation in New York. Similarly, Apollo and its respective affiliates

³ In parallel with this submission, the Petitioners expect to submit a Petition for Declaratory Ruling regarding upstream ownership interest transfers for two New York transmission lines: the Cross-Sound Cable and the Hudson Transmission Project. However, those transfers cannot be consummated as part of the proposed transaction unless and until all necessary state and federal authorizations or declaratory rulings are obtained, including the one requested by this Petition.

do not currently⁴ own any company that owns or controls generation capacity in the adjacent PJM or ISO-NE control areas.

Furthermore, neither Apollo nor any of its affiliates owns or controls, directly or indirectly, ten percent or more of the voting securities of any company that owns or controls (1) electric transmission facilities in the United States (other than limited transmission facilities used to interconnect transmission to the grid) or transmission facilities outside the United States that can be used to reach markets in the United States; (2) natural gas pipelines or distribution facilities, or any other inputs to electricity products (except for certain limited gathering pipelines in the Western US and infrastructure used for natural gas products, such as liquefied natural gas, compressed natural gas, and renewable natural gas); or (3) traditional public utilities with franchised service territories and/or captive customers in the United States.

4. Corning Energy Corporation and Affiliates

Corning LDC, a wholly-owned subsidiary of CEC, was incorporated in 1904⁵ and serves approximately 15,000 residential, commercial and industrial customers in the Southern Tier of New York. Corning LDC has a system of more than 430 miles of gas mains and service lines within a New York State service territory that covers approximately 360 square miles, across portions of Steuben County, Chemung County and Cortland County. Corning LDC's operations are headquartered in Corning, New York. Corning LDC employs a highly trained and skilled workforce of approximately 65 employees.

⁴ Apollo has submitted FERC approval requests for acquisition of a biomass facility in ISO-NE and a solar facility in PJM. However, even if those acquisitions were approved, Apollo would not own substantial generation assets in adjacent control areas such that the instant transaction would pose vertical or horizontal market power issues in New York or the Northeastern region.

⁵ A certified copy of the Restated Certificate of Incorporation of Corning LDC, approved by the Commission on September 21, 2007 in a proceeding designated Case 07-G-0787, filed with the New York Department of State on September 26, 2007, and subsequently corrected by a Certificate of Correction filed with the New York Department of State on April 24, 2008, is on file with the Commission in Case 08-G-0483.

Pursuant to authorization granted by the Commission on May 17, 2013,⁶ Corning Natural Gas Holding Corporation (now CEC) was incorporated in New York in July 2013. Corning LDC became a wholly owned subsidiary of CEC as of November 12, 2013. In addition to Corning LDC, CEC owns 100 percent of Pike, Leatherstocking PA and Leatherstocking Pipeline. Pike is an electric and gas utility regulated by the Pennsylvania Public Utility Commission (the “PAPUC”) and provides electric service to approximately 5,300 customers and gas service to approximately 1,400 customers in Pike County, Pennsylvania. Leatherstocking PA is also regulated by the PAPUC and distributes natural gas to approximately 510 customers in Susquehanna and Bradford Counties, Pennsylvania. Leatherstocking Pipeline, an unregulated company, has served one customer in Lawton, Pennsylvania, but has had no revenues since 2018.

B. The Proposed Transaction⁷

Currently, arGo LP is the sole owner of Argo GP, which is the current general partner of ACP Crotona Holdings. Through the Proposed Transaction, Argo GP will be replaced by a new Apollo-controlled entity as the general partner of ACP Crotona Holdings. As a result of the Proposed Transaction, Apollo will become an ultimate upstream affiliate of CEC and Corning LDC, and Mr. Zibarras will cease to be an ultimate upstream affiliate of CEC and Corning LDC. Consummation of the Proposed Transaction will be subject to the satisfaction of closing conditions including, among others, receipt of required regulatory approvals and requisite investor consent.

⁶ Case 12-G-0141 - Petition of Corning Natural Gas Corporation for Authority to Form a Holding Company and for Approval of Certain Related Transactions, Order Adopting Terms of a Joint Proposal and Approving Formation of a Holding Company, with Modifications and Conditions (May 17, 2013). A copy of the Certificate of Exchange of Shares of Common Stock of Corning LDC for Shares of Common Stock of Corning Natural Gas Holding Corporation (Under Section 913 of the New York Business Corporation Law) is on file with the Commission in Case 12-G-0141.

⁷ Pre- and post-transaction organizational charts of CEC and Corning LDC are included within Exhibit A hereto.

III. THE COMMISSION SHOULD DECLARE THAT THE PROPOSED TRANSACTION IS NOT SUBJECT TO COMMISSION REVIEW AND APPROVAL UNDER PSL § 70

PSL § 70 (1) provides for Commission review and approval of certain transactions involving electric or gas corporations, including transfers of any electric or gas corporation’s “franchise, works or system,” contracts for the operation of such works or systems, and transfers of stock/ownership interests in certain circumstances.⁸ Pursuant to PSL § 70 (4), no entity may acquire more than 10 percent of the voting capital stock issued by an electric or gas corporation without first obtaining Commission authorization.⁹

The Proposed Transaction, however, does not implicate any of the statutory triggers for PSL § 70 review. First, the Proposed Transaction will not result in the transfer of Corning LDC’s “franchise, works or system,” and there will be no change or transfer of any of Corning LDC’s operations, plant, equipment, franchises, permits or other assets as a result of the Proposed Transaction. Further, the Proposed Transaction does not involve an entity acquiring more than 10 percent of the voting capital stock issued by CEC or Corning LDC. Therefore, the Commission should declare the Proposed Transaction is outside of the scope of PSL § 70.¹⁰

In fact, the Proposed Transaction is similar to an internal reorganization, which the Commission has found to be exempt from PSL § 70 review.¹¹ As described in more detail above,

⁸ See PSL §§ 70 (1) and (4) (McKinney 2025).

⁹ The Commission has interpreted PSL § 70 to apply to stock acquisitions occurring at a holding company level of electric and gas corporations. See Case 06-M-0878 - Joint Petition of National Grid PLC and KeySpan Corporation for Approval of Stock Acquisition and Other Regulatory Authorizations, Order Authorizing Acquisition Subject to Conditions and Making Some Revenue Requirement Determinations for KeySpan Energy Delivery New York and KeySpan Energy Delivery Long Island (issued Sept. 17, 2007).

¹⁰ Since Apollo is not an electric or gas corporation, PSL § 70 (3) is also not implicated.

¹¹ See Case 18-M-0147 - Joint Petition of Natural Grid USA and KeySpan Corporation for a Declaratory Ruling that Section 70 of the Public Service Law Does Not Apply to the Dissolution of KeySpan Corporation and the Incidental Transfer of Equity and/or Membership Interests in its New York Operating Subsidiaries, Declaratory Ruling on Review of Intra-Corporate Reorganization (issued Apr. 23, 2018) (“Grid Order”); Case 17-M-0072 - Joint Petition of Red-Rochester LLC, RED Investment, LLC, and Ironclad Energy Partners LLC for a

the Proposed Transaction will simply replace the general partner of ACP Crotona Holdings, an indirect parent of CEC and Corning LDC, with entities controlled by Apollo. There will be no changes to the ownership of ACP Crotona Holdings as a result of the Proposed Transaction, nor will there be changes to the management or board of CEC or any of its subsidiaries, including Corning LDC. In addition, the Argo executives currently engaged in the management of ACP Crotona Holdings will join Apollo and continue in their current roles.

In Case 18-M-0147, National Grid USA and KeySpan Corporation (“KeySpan”) filed a petition for a declaratory ruling that PSL § 70 did not apply to the dissolution of KeySpan, a holding company, and the incidental transfer of ownership interests in KeySpan’s New York operating subsidiaries to National Grid USA.¹² The Commission found that because the proposed restructuring did not introduce a new owner into the organizational structure, remove an existing owner, or alter the proportionate share held by the existing owner, the proposed restructuring did not require Commission review pursuant to PSL § 70.¹³ The Proposed Transaction is similar – it does not introduce a new owner, remove an existing owner, or alter the proportionate share held by the existing owner. It simply replaces the current general partner of ACP Crotona Holdings with a new general partner, which will include the participation of the Argo executives in their current roles. Therefore, the Commission should issue a declaratory ruling finding that the Proposed Transaction is not subject to PSL § 70 review.¹⁴

Declaratory Ruling Regarding an Intra-Corporate Restructuring, Declaratory Ruling on Intra-Corporate Reorganization (issued Mar. 13, 2017).

¹² Grid Order at 1.

¹³ Id. at 5.

¹⁴ Such a declaratory ruling would not alter the Commission’s jurisdiction over Petitioners under PSL § 110.

IV. IF THE COMMISSION DECIDES TO REVIEW THE PROPOSED TRANSACTION UNDER PSL § 70, IT SHOULD APPROVE THE PROPOSED TRANSACTION AS IN THE PUBLIC INTEREST

If the Commission determines that PSL § 70 applies to the Proposed Transaction and the Commission’s review and approval is required, for the reasons set forth below, the Commission should issue an Order approving the Proposed Transaction as in the public interest and will not result in harm to captive ratepayers.

The Commission reviews proposed transactions under PSL § 70 using a “public interest” standard.¹⁵ In reviewing the Proposed Transaction, the Commission must ensure Corning LDC will be able to continue to provide safe and adequate utility service at just and reasonable rates.¹⁶ Where a transaction does not result in any “new owners” of an electric or gas corporation, the Commission has authorized the transaction where any potential risks associated with the transaction can be mitigated.¹⁷

In this instance, the Proposed Transaction will not pose any risks to ratepayer interests. Importantly, the Proposed Transaction will not result in any changes to Corning LDC’s day-to-day operations, nor will it affect the safe and adequate provision of gas service to Corning LDC’s customers. Further, there will be no modifications to the management structure in place at CEC or Corning LDC or changes to their boards of directors. In fact, the Argo executives currently

¹⁵ PSL § 70 (5) (McKinney 2025); see also Case 12-M-0192 – Joint Petition of Fortis, Inc. et al. and CH Energy Group, Inc. et al. for Approval of the Acquisition of CH Energy Group, Inc. by Fortis Inc. and Related Transactions, Order Authorizing Acquisition Subject to Conditions at 59 (issued Jun. 26, 2013).

¹⁶ Case 24-M-0327 - Joint Petition of Iberdrola, S.A. and Avangrid Inc. for Expedited Approval of a Stock Acquisition Pursuant to Section 70 of the New York Public Service Law, Order Approving Acquisition Subject to Conditions at 8 (issued Dec. 20, 2024) (“Iberdrola Order”).

¹⁷ Iberdrola Order at 10; see also Case 12-M-0066 - New York State Electric & Gas Corporation, Rochester Gas and Electric Corporation, RGS Energy Group, Inc., Iberdrola USA Networks, Inc., Iberdrola USA Inc., and Iberdrola Finance UK Limited Petition for Approval of an Internal Reorganization Pursuant to Public Service Law § 70, Order Adopting Staff Report and Approving Reorganization, Subject to Conditions as Modified and Clarified, and Making Findings on Management Audit Compliance at 14-15 (issued Nov. 5, 2013).

engaged in the management of ACP Crotona Holdings will join Apollo and continue in their current roles.

Furthermore, the Proposed Transaction poses no potential risks to Corning LDC's customers. There will be no changes to the rates, terms or conditions of service provided to Corning LDC's customers in connection with the Proposed Transaction. Customers will experience no change in their interactions with Corning LDC. No utility company operations, plant, equipment, franchises, permits or other assets of Corning LDC will change or be transferred in connection with the Proposed Transaction. In addition, no costs associated with the Proposed Transaction will be passed through to Corning LDC's customers. Finally, because the ultimate upstream owner of Corning LDC will remain the same, the Proposed Transaction will have no effect on market concentration or vertical market power in New York or any other market.¹⁸

Simply put, the Proposed Transaction will be completely seamless to Corning LDC customers and does not pose any risks. Indeed, rather than presenting risks, the Proposed Transaction will provide intangible benefits to Corning LDC and its customers. First, Apollo is more than qualified to manage ACP Crotona Holdings, and has the financial wherewithal and operational experience to ensure that Corning LDC will continue to provide safe and reliable service to customers. Second, following the Proposed Transaction, Corning LDC will be fully supported by a strongly positioned affiliate for purposes of access to capital markets, at potentially more favorable terms than exist today. Third, approval of the Proposed Transaction is consistent with New York State's efforts to maintain a positive business climate in the state. The ability of

¹⁸ Moreover, the Proposed Transaction will not result in any changes to the numerous ongoing benefits and protections provided in conjunction with the Merger Order. The Joint Proposal approved in the Merger Order included a set of agreed-upon conditions, including conditions related to financial integrity, access to capital, financial transparency, and affiliate transactions. These conditions will remain in full force and effect under Apollo's management.

entities, such as Apollo, to invest, with a minimum of red tape, in companies serving the public in New York, provides a broad benefit to utility customers, by maintaining the facility of investment in those companies.

For these reasons, if the Commission determines the Proposed Transaction is subject to PSL § 70, it should issue an Order approving the Proposed Transaction as in the public interest.¹⁹

V. NOTICE

Petitions for declaratory rulings do not trigger the notification requirements for rule making proceedings set forth in the New York State Administrative Procedure Act (“SAPA”) Section 202.²⁰ However, if the Commission decides to review the Proposed Transaction under PSL § 70, a draft form of notification suitable for publication in the New York State Register pursuant to the provisions of SAPA is attached hereto as Exhibit C.

VI. STATE ENVIRONMENTAL QUALITY REVIEW ACT

Under the State Environmental Quality Review Act (“SEQRA”), Article 8 of the New York State Environmental Conservation Law, and its implementing regulations (6 NYCRR § 617 et seq.; 16 NYCRR § 7 et seq.), the Commission must determine whether certain actions it is authorized to approve may have a significant impact on the environment. SEQRA review, however, is not required if the Commission issues a declaratory ruling and determines that further PSL § 70 review is not necessary.²¹

¹⁹ Should the Commission review the Proposed Transaction under PSL § 70, given that no property or franchises are being transferred and given the upstream nature of the Proposed Transaction, pursuant to 16 NYCRR § 3.3(c), the Petitioners respectfully request the Commission waive the requirements of 16 NYCRR Parts 18 and 31.

²⁰ SAPA § 102(b)(iii) (McKinney 2025) (excluding declaratory rulings from the definition of “rule”).

²¹ See Case 18-E-0501 - Joint Petition of Bayonne Energy Center, LLC, MIC Thermal Power Holdings, LLC and NHIP II Bayonne Holdings LLC for a Declaratory Ruling Regarding Transfer of Upstream Ownership Interests or, in the Alternative, an Order Approving the Transfer Pursuant to Section 70 of the New York State Public Service Law, Declaratory Ruling on Transfer and Making Other Findings at 10 (Sept. 18, 2018) (“Declaratory rulings are not “actions” within the meaning of [SEQRA] and its implementing regulations (16 NYCRR §7.2) and, therefore, they may be issued without further SEQRA review.”); Case 16-E-0116 - Joint Petition of J

If the Commission decides to review the Proposed Transaction under PSL § 70 and SEQRA review is undertaken, the Proposed Transaction does not meet the definition of a Type I or Type II action listed in 6 NYCRR §§ 617.4, 617.5 and 16 NYCRR § 7.2 and, therefore, is appropriately classified as an “unlisted action” under SEQRA.²² Accordingly, it is proper for the Commission to declare itself the SEQRA “lead agency” to conduct an environmental assessment and determine the significance of the actions proposed. To facilitate this assessment, the Petitioners have appended to this Petition as Exhibit D an Environmental Assessment Form (“EAF”) describing the potential impacts, if any, of the Proposed Transaction.

No significant adverse environmental effects will result from the Proposed Transaction. The upstream replacement of Argo GP, with Apollo as the new manager, will not result in any material changes in Corning LDC’s operations following closing. As a consequence, the Proposed Transaction will not pose any environmental impacts within the meaning of SEQRA or the regulations promulgated thereunder. Therefore, the Commission should determine that the Proposed Transaction will not have a significant impact on the environment, adopt a negative declaration pursuant to SEQRA, and undertake no further environmental review should it decline to issue a declaratory ruling.

Cricket Holdings LLC, AP Cricket Valley Holdings I, Inc., and Cricket Valley Energy Center LLC for a Declaratory Ruling Regarding Transfers of Upstream Ownership Interests or, in the Alternative, an Approval Pursuant to Section 70 of the Public Service Law, Declaratory Ruling on Review of Acquisition Transactions at 6-7, fn. 7 (Apr. 20, 2016) (“In accordance with 6 NYCRR §617.5(c)(31), the matters addressed herein constitute ‘interpret[at]ions] of an existing code, rule or regulation,’ and are therefore a Type II action not subject to review under [SEQRA.]”).

²² See e.g., Case 05-E-1341 - Petition of Orion Power Holdings, Inc., Astoria Generating Company, L.P. and Astoria Generating Company Acquisitions, LLC for Approval of Ownership Transfer Transactions and Authority to Issue Corporate Debt, Order Approving Transfers and Financings and Making Other Findings at 4-5 (Feb. 15, 2006).

VII. CONCLUSION

WHEREFORE, the Petitioners respectfully request that the Commission issue a declaratory ruling on an expedited basis no later than at its June 2025 session that further review of the Proposed Transaction is not required or, in the alternative, issue an order authorizing the Proposed Transaction under PSL § 70, without condition, as in the public interest.

Dated: April 1, 2025

Respectfully submitted,

/s/ Brian T. FitzGerald

/s/ James A. Muscato, II

Brian T. FitzGerald
Gregory G. Nickson
Cullen and Dykman LLP
80 State Street, Suite 900
Albany, New York 12210
Tel: (518) 788-9440
bfitzgerald@cullenllp.com
gnickson@cullenllp.com

James A. Muscato, II
Laura B. Darling
Young/Sommer LLC
Five Palisades Drive
Albany, New York 12205
Tel: (518) 438-9907
jmuscato@youngsommer.com
ldarling@youngsommer.com

*Attorneys for ACP Crotona Holdings, L.P.
and Argo Infrastructure Partners LP*

*Attorneys for Apollo Global Management,
Inc.*

BEFORE THE
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Verified Joint Petition of ACP Crotona Holdings, L.P., Argo Infrastructure Partners LP, and Apollo Global Management, Inc. for a Declaratory Ruling Regarding the Applicability of Section 70 of the New York Public Service Law or, in the Alternative, an Order Approving a Proposed Transaction Pursuant to Section 70 of the New York Public Service Law

Case 25-G-_____

VERIFICATION

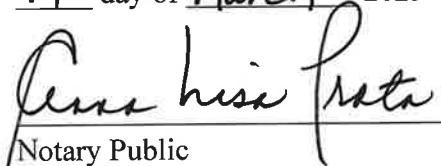
STATE OF New York)
COUNTY OF New York) ss.:

Andrew Zaroulis, being duly sworn according to law, upon his oath, deposes and says:

1. I am a Manager of Argo Infrastructure Partners, LLC, and am authorized to make this Verification on behalf of ACP Crotona Holdings, L.P. and Argo Infrastructure Partners LP.
2. I have read the contents of the foregoing Petition and hereby verify that the statements therein contained as to ACP Crotona Holdings, L.P. and Argo Infrastructure Partners LP, are true and accurate to the best of my knowledge and belief.


Andrew Zaroulis

Sworn to and subscribed before me this
17 day of March 2025


Notary Public

ANNA LISA PRATA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PR6435887
Qualified in New York County
My Commission Expires 07-05-2026

BEFORE THE
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Verified Joint Petition of ACP Crotona Holdings, L.P., Argo Infrastructure Partners LP, and Apollo Global Management, Inc. for a Declaratory Ruling Regarding the Applicability of Section 70 of the New York Public Service Law or, in the Alternative, an Order Approving a Proposed Transaction Pursuant to Section 70 of the New York Public Service Law

Case 25-G-_____

VERIFICATION

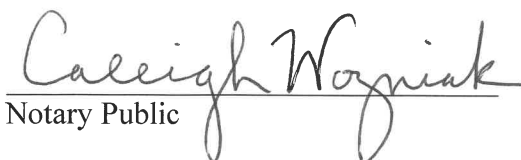
STATE OF New York)
COUNTY OF New York) ss.:

Jessica L. Lomm, being duly sworn according to law, upon his oath, deposes and says:

1. I am Secretary of Apollo Global Management, Inc. and am authorized to make this Verification on behalf of Apollo Global Management, Inc.
2. I have read the contents of the foregoing Petition and hereby verify that the statements therein contained as to Apollo Global Management, Inc. are true and accurate to the best of my knowledge and belief.



Sworn to and subscribed before me this
31 day of March 2025

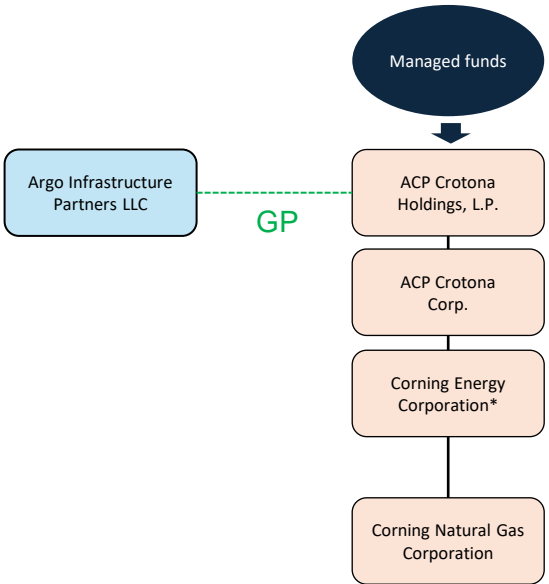

Notary Public

Caleigh Wozniak
Notary Public, State of New York
Reg. No. 01WO6431827
Qualified in New York County
Commission Expires April 18, 2026

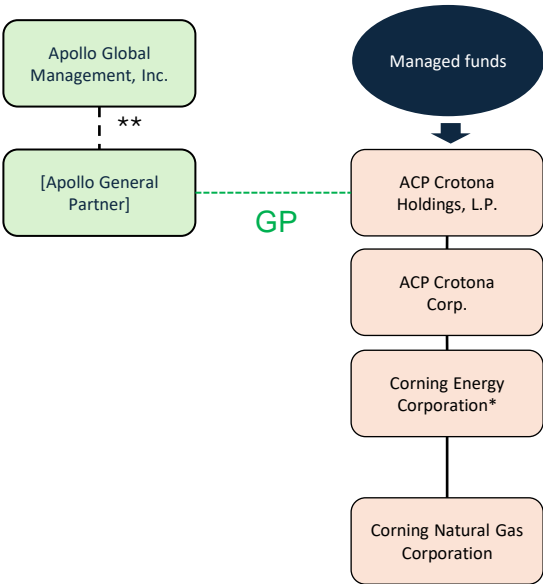
EXHIBIT A

Pro Forma Transaction Structure

Corning Energy Corporation Current



Corning Energy Corporation Pro Forma



* Formerly known as Corning Natural Gas Holding Corporation
** Expected to be held through intermediary entity (or entities) to be named

EXHIBIT B

Apollo Global Management
Certificate of Incorporation

**AMENDED AND RESTATED
CERTIFICATE OF INCORPORATION
OF
TANGO HOLDINGS, INC.**

Tango Holdings, Inc. (the "Corporation"), a corporation organized and existing under the General Corporation Law of the State of Delaware (the "DGCL"), does hereby certify as follows:

1. The name of the Corporation is Tango Holdings, Inc. The original certificate of incorporation of the Corporation was filed with the Secretary of State of the State of Delaware on March 3, 2021.
2. This Amended and Restated Certificate of Incorporation, having been duly adopted in accordance with Sections 228, 242 and 245 of the DGCL, further amends and restates the certificate of incorporation of the Corporation and shall be effective as of 12:59 a.m. Eastern Standard Time on January 1, 2022 (the "Effective Time").
3. The certificate of incorporation of the Corporation is hereby amended and restated to read in its entirety as follows:

ARTICLE I

NAME

The name of the Corporation is Tango Holdings, Inc.

ARTICLE II

REGISTERED OFFICE AND AGENT

The address of the Corporation's registered office in the State of Delaware is c/o Corporation Service Company, 251 Little Falls Drive, in the City of Wilmington, County of New Castle, Delaware 19808. The name of the registered agent at such address is Corporation Service Company.

ARTICLE III

PURPOSE

The purpose and nature of the business to be conducted by the Corporation shall be to: (a) engage directly in, or enter into or form any corporation, partnership, joint venture, limited liability company or other arrangement to engage indirectly in, any business activity that lawfully may be conducted by a corporation organized pursuant to the DGCL, and in connection therewith, to exercise all of the rights and powers conferred upon the Corporation pursuant to the agreements relating to such business activity; and (b) do anything necessary or appropriate in furtherance thereof, including the making of capital contributions or loans to a Corporate Group Member.

ARTICLE IV**AUTHORIZED STOCK**Section 4.01 Capitalization.

(a) The total number of shares of all classes of stock that the Corporation shall have authority to issue is 100,000,000,000 which shall be divided into two classes as follows:

- (i) 90,000,000,000 shares of common stock, \$.00001 par value per share (“Common Stock”); and
- (ii) 10,000,000,000 shares of preferred stock, \$.00001 par value per share (“Preferred Stock”), which may be designated from time to time in accordance with this Article IV.

(b) The number of authorized shares of Common Stock or Preferred Stock may be increased or decreased (but not below the number of shares thereof then outstanding) by the affirmative vote of the holders of a majority in voting power of the then outstanding shares of capital stock entitled to vote thereon, in each case irrespective of the provisions of Section 242(b)(2) of the DGCL (or any successor provision thereto), and no other vote of the holders of the Common Stock or Preferred Stock, voting together or separately as a class, shall be required therefor, unless a vote of the holders of any such class or classes or series thereof is expressly required pursuant to this Certificate of Incorporation (including any certificate of designation relating to any series of Preferred Stock).

(c) Except to the extent expressly provided in this Certificate of Incorporation (including any certificate of designation relating to any series of Preferred Stock), no share of stock of the Corporation shall entitle any holder thereof to any preemptive, preferential, or similar rights with respect to the issuance of shares of Common Stock, Preferred Stock or other equity securities of the Corporation.

Section 4.02 Preferred Stock. The Board of Directors is hereby expressly authorized, by resolution or resolutions, to provide, out of the unissued shares of Preferred Stock, for one or more series of Preferred Stock and, with respect to each such series, to fix, without further stockholder approval (except as may be required by any certificate of designation relating to any series of Preferred Stock), the designation of such series, the powers (including voting powers), preferences and relative, participating, optional and other special rights, and the qualifications, limitations or restrictions thereof, of such series of Preferred Stock and the number of shares of such series, which number the Board of Directors may, except where otherwise provided in the certificate of designation of such series, increase (but not above the total number of shares of Preferred Stock then authorized and available for issuance and not committed for other issuance) or decrease (but not below the number of shares of such series then outstanding). The powers, preferences and relative, participating, optional and other special rights of, and the qualifications, limitations or restrictions thereof, of each series of Preferred Stock, if any, may differ from those of any and all other series at any time outstanding.

ARTICLE V**TERMS OF COMMON STOCK**

Section 5.01 Voting. Except as required by the DGCL or as expressly otherwise provided by this Certificate of Incorporation, each holder of Common Stock, as such, shall be entitled to vote on any matter submitted to the stockholders of the Corporation generally. Each holder of a share of Common Stock shall be entitled, in respect of each share of Common Stock that is outstanding in his, her or its name on the books of the Corporation, to one vote on all matters on which holders of Common Stock are entitled to vote. Notwithstanding anything to the contrary herein, holders of Common Stock shall have no voting, approval or consent rights in respect of any amendments to this Certificate of Incorporation (including any certificate of designation relating to any series of Preferred Stock) that relates solely to the terms of one or more outstanding series of Preferred Stock on which the holders of such affected series of Preferred Stock are entitled to vote.

Section 5.02 Dividends. Subject to Applicable Law and the rights, if any, of the holders of any series of Preferred Stock or any class or series of stock having a preference over or the right to participate with the other stockholders with respect to the payment of dividends, the Board of Directors may, in its sole discretion, at any time and from time to time, declare, make and pay dividends of cash or other assets to the holders of Common Stock. Subject to the terms of any certificate of designation relating to any series of Preferred Stock, dividends, to the extent so declared, shall be paid to the holders of Common Stock on a *pro rata* basis in accordance with the number of shares of Common Stock held by them as of the record date selected by the Board of Directors. Notwithstanding anything otherwise to the contrary herein, the Corporation shall not make or pay any dividend of cash or other assets with respect to shares of any series of Preferred Stock except for dividends in accordance with the certificate of designation relating to such series of Preferred Stock.

Section 5.03 Liquidation. Upon a Dissolution Event, after payment or provision for payment of the debts and other liabilities of the Corporation and subject to the rights, if any, of the holders of any class or series of stock having a preference over or the right to participate with the other stockholders with respect to the distribution of assets of the Corporation upon such Dissolution Event, the holders of Common Stock shall be entitled to receive the remaining assets of the Corporation available for distribution to its stockholders on a *pro rata* basis in accordance with the number of shares of Common Stock held by them.

Section 5.04 Stockholders Agreement. The Corporation is a party to the Stockholders Agreement, which provides certain rights to the other parties thereto, including, without limitation, certain registration rights relating to shares of Common Stock and other equity securities of the Corporation.

ARTICLE VI**BOARD OF DIRECTORS**

Section 6.01 General. Except as otherwise provided in the DGCL or this Certificate of Incorporation, the business and affairs of the Corporation shall be managed by or under the direction of the Board of Directors. The Board of Directors shall not be responsible for the day-to-day business, operations and affairs of the Subsidiaries and any fund, account or vehicle that is advised, sponsored, raised or managed by the Corporation or its Affiliates or any portfolio investment of any such fund, account or vehicle, including transactions entered into by any of the foregoing in the ordinary course.

Section 6.02 Board Generally. Except as otherwise provided pursuant to, and subject to the terms and conditions of, the provisions of any of the Stockholders Agreement or any certificate of designation with respect to any outstanding series of Preferred Stock relating to the rights of the holders of Preferred Stock to elect additional directors (such directors, the “Preferred Stock Directors”), the Board of Directors shall have the sole power to set the total number of Directors which shall constitute the Board of Directors. Each Director elected shall hold office until such Director’s successor is duly elected and qualified, or, if earlier, until such Director’s death or until such Director resigns or is removed in the manner hereinafter provided.

Section 6.03 Election of Directors. Subject to the rights of the holders of any series of Preferred Stock with respect to any Preferred Stock Directors, if required by Applicable Law, an annual meeting of the stockholders of the Corporation for the election of Directors and such other matters as may be properly brought before the meeting shall be held at such date and time as may be fixed by the Board of Directors at such place, if any, within or without the State of Delaware as may be fixed by the Board of Directors and all as stated in the notice of the meeting. Directors shall be elected at such annual meeting of stockholders in the manner provided in this Section 6.03 and each Director elected shall hold office until the succeeding meeting after such Director’s election and until such Director’s successor is duly elected and qualified, or, if earlier, until such Director’s death or until such Director resigns or is removed in the manner hereinafter provided. Subject to the rights of the holders of any series of Preferred Stock with respect to any Preferred Stock Directors, Directors shall be elected by a majority of the votes cast by the holders of the outstanding shares of capital stock of the Corporation present in person or represented by proxy and entitled to vote on the election of Directors at any annual meeting of stockholders at which a quorum is present; provided that if as of a date that is 14 days in advance of the date the Corporation files its definitive proxy statement for any such annual meeting of stockholders (regardless of whether or not thereafter revised or supplemented) with the SEC the number of nominees exceeds the number of Directors to be elected, the Directors shall be elected at such annual meeting by a plurality of the votes cast. For purposes of this Section 6.03, a majority of the votes cast means that (a) the number of votes cast “for” a Director must exceed the number of votes cast “against” that Director and (b) abstentions and broker non-votes are not counted as votes cast.

Section 6.04 Removal. Any Director or the whole Board of Directors (other than a Preferred Stock Director) may be removed, with or without cause, at any time, by the affirmative vote of the holders of a majority in voting power of the outstanding shares of capital stock of the Corporation entitled to vote thereon, voting together as a single class, at an annual meeting or at a special meeting of stockholders called for that purpose.

Section 6.05 Vacancies. Unless otherwise required by Applicable Law and subject to the terms and conditions of the Stockholders Agreement, (i) any newly created directorship on the Board of Directors resulting from any increase in the authorized number of Directors (other than in respect of a Preferred Stock Director) may only be filled by the affirmative vote of a majority of the Directors in office, provided that a quorum is present, and any vacancy on the Board of Directors (other than in respect of a Preferred Stock Director) may only be filled by the affirmative vote of a majority of the Directors then in office, though less than a quorum, or by a sole remaining Director, (ii) any Director elected to fill a vacancy shall have the same remaining term as that of such Director's predecessor and until such Director's successor is duly elected or appointed and qualified, or until his or her earlier death, resignation or removal, and (iii) if there are no Directors in office, then an election of Directors may be held in the manner provided by the DGCL.

ARTICLE VII

AMENDMENT OF CERTIFICATE OF INCORPORATION

Section 7.01 Amendment Requirements.

(a) Except as provided in Article IV, any proposed amendment to this Certificate of Incorporation shall require the approval of the holders of a majority of the voting power of the outstanding shares of capital stock of the Corporation entitled to vote thereon unless a greater or different percentage is required under the DGCL or this Certificate of Incorporation. Each proposed amendment that requires the approval of the holders of a specified percentage of the voting power of the outstanding shares of capital stock of the Corporation entitled to vote thereon shall be set forth in a writing that contains the text of the proposed amendment. If such an amendment is proposed, the Board of Directors shall call a meeting of the stockholders to consider and vote on such proposed amendment, in each case, in accordance with the provisions of this Certificate of Incorporation, the Bylaws and the DGCL.

Section 7.02 Preferred Stock. Notwithstanding anything to the contrary herein, holders of Preferred Stock shall have no voting, approval or consent rights under this Article VII. Voting, approval and consent rights of holders of Preferred Stock shall be solely as provided for and set forth in any certificate of designation relating to any series of Preferred Stock.

ARTICLE VIII

BYLAWS

Section 8.01 Amendments. In furtherance and not in limitation of the powers conferred by the DGCL, the Board of Directors is expressly authorized to adopt, amend and repeal, in whole or in part, the Bylaws without the assent or vote of the stockholders in any manner not inconsistent with the DGCL or this Certificate of Incorporation.

ARTICLE IX**OUTSIDE ACTIVITIES**

Section 9.01 Outside Activities. Except with respect to any corporate opportunity expressly offered to any Indemnified Person solely through their service to the Corporate Group, to the fullest extent permitted by the DGCL, each Indemnified Person shall have the right to engage in businesses of every type and description and other activities for profit and to engage in and possess an interest in other business ventures of any and every type or description, whether in businesses engaged in or anticipated to be engaged in by any Corporate Group Member, independently or with others, including business interests and activities in direct competition with the business and activities of any Corporate Group Member, and none of the same shall constitute a violation of this Certificate of Incorporation or any duty otherwise existing at law, in equity or otherwise to any Corporate Group Member or any holder of shares of capital stock. Subject to the immediately preceding sentence, no Corporate Group Member or any holder of shares of capital stock shall have any rights by virtue of this Certificate of Incorporation, the DGCL or otherwise in any business ventures of any Indemnified Person, and the Corporation hereby waives and renounces any interest or expectancy therein.

Section 9.02 Approval and Waiver. Subject to the terms of Section 9.01, and subject to any agreement between the Corporation and any Indemnified Person, but otherwise notwithstanding anything to the contrary in this Certificate of Incorporation and to the fullest extent permitted by Applicable Law: (i) the engaging in competitive activities by any Indemnified Person in accordance with the provisions of this Article IX is hereby deemed approved by the Corporation and all holders of shares of capital stock; (ii) it shall be deemed not to be a breach of any Indemnified Person's duties or any other obligation of any type whatsoever of the Indemnified Person for the Indemnified Person to engage in such business interests and activities in preference to or to the exclusion of any Corporate Group Member, (iii) the Indemnified Persons shall have no obligation hereunder or as a result of any duty otherwise existing at law, in equity or otherwise to present business opportunities to any Corporate Group Member and (iv) the Corporation hereby waives and renounces any interest or expectancy in such activities such that the doctrine of "corporate opportunity" or other analogous doctrine shall not apply to any such Indemnified Person.

ARTICLE X**INDEMNIFICATION, LIABILITY OF INDEMNITEES**Section 10.01 Indemnification.

(a) To the fullest extent permitted by Applicable Law (including, if and to the extent applicable, Section 145 of the DGCL), but subject to the limitations expressly provided for in this Section 10.01, all Indemnified Persons shall be indemnified and held harmless by the Corporation from and against any and all losses, claims, damages, liabilities, joint or several, expenses (including legal fees and expenses), judgments, fines, penalties, interest, settlements or other amounts arising from any and all threatened, pending or completed claims, demands, actions, suits or proceedings, whether civil, criminal, administrative or investigative, and whether formal or

informal and including appeals, in which any Indemnified Person may be involved, or is threatened to be involved, as a party or otherwise, by reason of its status as an Indemnified Person whether arising from acts or omissions to act occurring before or after the date of this Certificate of Incorporation. Notwithstanding the preceding sentence, except as otherwise provided in Section 10.01(k), the Corporation shall be required to indemnify a Person described in such sentence in connection with any action, suit or proceeding (or part thereof) commenced by such Person only if the commencement of such action, suit or proceeding (or part thereof) by such Person was authorized by the Board of Directors.

(b) To the fullest extent permitted by Applicable Law, expenses (including legal fees and expenses) incurred by an Indemnified Person in appearing at, participating in or defending any indemnifiable claim, demand, action, suit or proceeding pursuant to Section 10.01(a) shall, from time to time, be advanced by the Corporation prior to a final and non-appealable determination that the Indemnified Person is not entitled to be indemnified upon receipt by the Corporation of an undertaking by or on behalf of the Indemnified Person to repay such amount if it ultimately shall be determined that the Indemnified Person is not entitled to be indemnified pursuant to this Section 10.01. Notwithstanding the immediately preceding sentence, except as otherwise provided in Section 10.01(k), the Corporation shall be required to advance expenses to an Indemnified Person pursuant to the immediately preceding sentence in connection with any action, suit or proceeding (or part thereof) commenced by such Person only if the commencement of such action, suit or proceeding (or part thereof) by such Person was authorized by the Board of Directors in its sole discretion.

(c) The indemnification provided by this Section 10.01 shall be in addition to any other rights to which an Indemnified Person may be entitled under this Certificate of Incorporation or any other agreement, pursuant to a vote of a majority of Directors who are disinterested with respect to such matter, or as a matter of law, in equity or otherwise, both as to actions in the Indemnified Person's capacity as an Indemnified Person and as to actions in any other capacity, and shall continue as to an Indemnified Person who has ceased to serve in such capacity.

(d) The Corporation may purchase and maintain insurance, on behalf of its Affiliates, any Indemnified Person and such other Persons as the Board of Directors shall determine in its sole discretion, against any liability that may be asserted against, or expense that may be incurred by, such Person in connection with the Corporation's activities or any such Person's activities on behalf of the Corporation, regardless of whether the Corporation would have the power to indemnify such Person against such liability under the provisions of this Certificate of Incorporation.

(e) For purposes of this Section 10.01, (i) the Corporation shall be deemed to have requested an Indemnified Person to serve as a fiduciary of an employee benefit plan whenever the performance by it of its duties to the Corporation also imposes duties on, or otherwise involves services by, such Indemnified Person to the plan or participants or beneficiaries of the plan; (ii) excise taxes assessed on an Indemnified Person with respect to an employee benefit plan pursuant to Applicable Law shall constitute "fines" within the meaning of Section 10.01(a); and (iii) any action taken or omitted by an Indemnified Person with respect to any employee benefit plan in the performance of its duties for a purpose reasonably believed by it to be in the best interest of the participants and beneficiaries of the plan shall be deemed to be for a purpose that is in the best interests of the Corporation.

(f) Any indemnification pursuant to this Section 10.01 shall be made only out of the assets of the Corporation. In no event may an Indemnified Person subject any holders of shares of capital stock to personal liability by reason of the indemnification provisions set forth in this Certificate of Incorporation.

(g) To the fullest extent permitted by Applicable Law, an Indemnified Person shall not be denied indemnification in whole or in part under this Section 10.01 because the Indemnified Person had an interest in the transaction with respect to which the indemnification applies if the transaction was otherwise permitted by the terms of this Certificate of Incorporation.

(h) The provisions of this Section 10.01 are for the benefit of the Indemnified Persons and their heirs, successors, assigns, executors and administrators and shall not be deemed to create any rights for the benefit of any other Persons.

(i) To the fullest extent permitted by Applicable Law, each Director and officer shall, in the performance of his, her or its duties, be fully protected in relying in good faith upon the records of the Corporation and on such information, opinions, reports or statements presented to the Corporation by any of the officers, directors or employees of the Corporation or any other Corporate Group Member, or committees of the Board of Directors, or by any other Person (including legal counsel, accountants, appraisers, management consultants, investment bankers and other consultants and advisers selected by the Corporation or any other Corporate Group Member) as to matters the Directors or officers, as the case may be, reasonably believe are within such other Person's professional or expert competence.

(j) No amendment, modification or repeal of this Section 10.01 or any provision hereof shall in any manner terminate, reduce or impair the right of any past, present or future Indemnified Person to be indemnified by the Corporation, nor the obligations of the Corporation to indemnify any such Indemnified Person under and in accordance with the provisions of this Section 10.01 as in effect immediately prior to such amendment, modification or repeal with respect to claims arising from or relating to matters occurring, in whole or in-part, prior to such amendment, modification or repeal, regardless of when such claims may arise or be asserted.

(k) If a claim for indemnification (following the final disposition of the action, suit or proceeding for which indemnification is being sought) or advancement of expenses under this Section 10.01 is not paid in full within thirty (30) days after a written claim therefor by any Indemnified Person has been received by the Corporation, such Indemnified Person may file suit to recover the unpaid amount of such claim and, if successful in whole or in part, shall be entitled to be paid the expenses of prosecuting such claim, including reasonable attorneys' fees, to the fullest extent permitted by Applicable Law.

(l) This Section 10.01 shall not limit the right of the Corporation, to the extent and in the manner permitted by Applicable Law, to indemnify and to advance expenses to, and purchase and maintain insurance on behalf of, Persons other than Indemnified Persons.

Section 10.02 Liability of Indemnitees.

(a) Notwithstanding anything otherwise to the contrary herein (but without limitation of any other provision of this Certificate of Incorporation providing for the limitation or elimination of liability of any Person), to the extent and in the manner permitted by the DGCL, no Indemnified Person shall be liable to the Corporation, the stockholders of the Corporation, in their capacity as such, or any other Persons who have acquired interests in the securities of the Corporation, for any losses, claims, damages, liabilities, joint or several, expenses (including legal fees and expenses), judgments, fines, penalties, interest, settlements or other amounts arising as a result of any act or omission of an Indemnified Person, or for any breach of contract (including a violation of this Certificate of Incorporation) or any breach of duties (including breach of fiduciary duties) whether arising hereunder, at law, in equity or otherwise, unless there has been a final and non-appealable judgment entered by a court of competent jurisdiction determining that, in respect of the matter in question, the Indemnified Person acted in bad faith or engaged in fraud or willful misconduct.

(b) Any amendment, modification or repeal of this Section 10.02 or any provision hereof shall be prospective only and shall not in any way affect the limitations on the liability of the Indemnified Persons under this Section 10.02 as in effect immediately prior to such amendment, modification or repeal with respect to claims arising from or relating to matters occurring, in whole or in part, prior to such amendment, modification or repeal, regardless of when such claims may arise or be asserted, and provided such Person became an Indemnified Person hereunder prior to such amendment, modification or repeal.

(c) A Director of the Corporation shall not be liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a Director, except to the extent such exemption from liability or limitation thereof is not permitted under the DGCL. Any amendment, modification or repeal of the foregoing sentence shall not adversely affect any right or protection of a Director of the Corporation hereunder in respect of any act or omission occurring prior to the time of such amendment, modification or repeal.

ARTICLE XI

SPECIAL MEETINGS OF STOCKHOLDERS; ACTION WITHOUT A MEETING

Section 11.01 Special Meetings. Except as otherwise required by Applicable Law and subject to the rights of the holders of any series of Preferred Stock, special meetings of the stockholders of the Corporation for any purpose or purposes may be called at any time only (i) by the Board of Directors or (ii) subject to the requirements set forth in Section 1.02 of the Bylaws, by the Secretary of the Corporation upon proper written request or requests given by or on behalf of one or more persons who Beneficially Own at least 25% of the voting power of all outstanding shares of Common Stock of the Corporation as of the date on which the first request for such special meeting was received by the Secretary of the Corporation in the manner required by Section 1.02 of the Bylaws. Business to be conducted at a special meeting of stockholders may only be brought before the meeting pursuant to the Corporation's notice of meeting.

Section 11.02 Action Without a Meeting. Except as otherwise provided in this Certificate of Incorporation, including any certificate of designation relating to any series of Preferred Stock, any action required or permitted to be taken by the stockholders may only be taken at a meeting of stockholders and may not be taken by written consent.

ARTICLE XII

DEFINITIONS

Section 12.01 Definitions. The following definitions shall be for all purposes, unless otherwise clearly indicated to the contrary, applied to the terms used in this Certificate of Incorporation:

“Affiliate” of any Person means any other Person that, directly or indirectly, through one or more intermediaries, controls, or is controlled by, or is under common control with, such first Person. Except as expressly stated otherwise in this Certificate of Incorporation, the term “Affiliate” with respect to the Corporation does not include at any time any Fund or Portfolio Company.

“Apollo Operating Group” means (i) Apollo Principal Holdings I, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings II, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings III, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings IV, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings V, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings VI, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings VII, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings VIII, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings IX, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings X, L.P., a Cayman Islands exempted limited partnership, Apollo Principal Holdings XI, LLC, an Anguilla limited liability company, Apollo Principal Holdings XII, L.P., a Cayman Islands exempted limited partnership, AMH Holdings (Cayman), L.P., a Cayman Islands exempted limited partnership, and any successors thereto or other entities formed to serve as holding vehicles for the carry vehicles, management companies or other entities formed by the Corporation or its Subsidiaries to engage in the asset management business (including alternative asset management) and (ii) any such carry vehicles, management companies or other entities formed by the Corporation or its Affiliates to engage in the asset management business (including alternative asset management) and receiving management fees, incentive fees, fees paid by Portfolio Companies, carry or other remuneration which are not Subsidiaries of the Persons described in clause (i), excluding any Funds and any Portfolio Companies.

“Applicable Law” means, with respect to any Person, all provisions of laws, statutes, ordinances, rules, regulations, permits, certificates, judgments, decisions, decrees or orders of any Governmental Entity applicable to such Person.

“Beneficial Owner” means with respect to any security, a Person who directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise has or shares: (a) voting power, which includes the power to vote, or to direct the voting of, such security and/or (b) investment power, which includes the power to dispose, or to direct the disposition of, such security. The terms “Beneficially Own” and “Beneficial Ownership” have correlative meanings.

“Board of Directors” means the Board of Directors of the Corporation.

“Bylaws” means the bylaws of the Corporation as in effect from time to time.

“Code” means the Internal Revenue Code of 1986, as amended, supplemented or restated from time to time and any successor to such statute, and the rules and regulations promulgated thereunder.

“Common Stock” has the meaning assigned to such term in Section 4.01(a)(i).

“control” means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a Person, whether through the ownership of voting securities, by contrast or otherwise, and “controlling” and “controlled” shall have meanings correlative thereto.

“Corporate Group” means the Corporation and each Subsidiary of the Corporation.

“Corporate Group Member” means a member of the Corporate Group.

“Corporation” has the meaning assigned to such term in the preamble hereof, including any successor entity thereto.

“DGCL” has the meaning assigned to such term in the preamble hereof.

“Director” means a member of the Board of Directors.

“Dissolution Event” means an event giving rise to the dissolution of the Corporation.

“Effective Time” has the meaning set forth in the preamble hereof.

“Exchange Act” means the Securities Exchange Act of 1934, as amended, supplemented or restated from time to time, and the rules and regulations promulgated thereunder.

“Former Manager” means AGM Management, LLC in its capacity as the former manager of Apollo Global Management, LLC.

“Fund” means any pooled investment vehicle or similar entity sponsored or managed, directly or indirectly, by the Corporation or any of its Subsidiaries.

“Governmental Entity” means any Federal, state, county, city, local or foreign governmental, administrative or regulatory authority, commission, committee, agency or body (including any court, tribunal or arbitral body).

“Indemnified Person” means, to the fullest extent permitted by Applicable Law: (a) the Former Manager; (b) any Affiliate of the Former Manager; (c) any member, partner, Tax Matters Partner, Partnership Representative, officer, director, employee, agent, fiduciary or trustee of any Corporate Group Member, the Former Manager or any of their respective Affiliates; (d) any Person who was serving at the request of the Former Manager or any of its respective Affiliates as an officer, director, employee, member, partner, Tax Matters Partner, Partnership Representative, agent, fiduciary or trustee of another Person; provided, that a Person shall not be an Indemnified Person by reason of providing, on a fee-for-services basis, trustee, fiduciary or custodial services; and (e) any Person that the Board of Directors in its sole discretion designates as an “Indemnified Person” as permitted by Applicable Law.

“Investment” means any investment (or similar term describing the results of the deployment of capital) as defined in the governing document of any Fund managed (directly or indirectly) by a member of the Apollo Operating Group.

“Partnership Representative” means the “partnership representative” as defined in Section 6223 of the Code after amendment by P.L. 114-74.

“Person” shall be construed broadly and includes any individual, corporation, firm, partnership, limited liability company, joint venture, estate, business, association, trust, Governmental Entity or other entity.

“Portfolio Company” means any Person in which any Fund owns or has made, directly or indirectly, any Investment.

“Preferred Stock” has the meaning set forth in Section 4.01(a)(ii).

“SEC” means the United States Securities and Exchange Commission or any similar agency then having jurisdiction to enforce the Securities Act.

“Securities Act” means the Securities Act of 1933, as amended, supplemented or restated from time to time, and the rules and regulations promulgated thereunder.

“Stockholders Agreement” means the Stockholders Agreement, dated on or about the date hereof, by and among the Corporation and the other persons party thereto (without giving effect to any amendments or supplements thereto or restatements or modifications thereof). References in this Certificate of Incorporation to the Stockholders Agreement shall only be effective for so long as the Stockholders Agreement remains in effect in accordance with the terms thereof as between the parties thereto.

“Subsidiary” or “Subsidiaries” means, with respect to any Person, as of any date of determination, any other Person as to which such Person owns, directly or indirectly, or otherwise controls, more than 50% of the voting shares or other similar interests or the sole general partner interest or managing member or similar interest of such Person. The term “Subsidiary” does not include at any time any Funds or Portfolio Companies.

“Tax Matters Partner” means the “tax matters partner” as defined in the Code prior to amendment by P.L. 114-74.

ARTICLE XIII**MISCELLANEOUS**

Section 13.01 Invalidity of Provisions. If any provision of this Certificate of Incorporation is or becomes invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall not be affected thereby.

Section 13.02 Severability. It is the desire and intent of the parties that the provisions of this Certificate of Incorporation be enforced to the fullest extent permissible under the laws and public policies applied in each jurisdiction in which enforcement is sought. Accordingly, if any particular provision of this Certificate of Incorporation shall be adjudicated by a court of competent jurisdiction to be invalid, prohibited or unenforceable for any reason, such provision, as to such jurisdiction, shall be ineffective, without invalidating the remaining provisions of this Certificate of Incorporation or affecting the validity or enforceability of such provision in any other jurisdiction. Notwithstanding the foregoing, if such provision could be more narrowly drawn so as not to be invalid, prohibited or unenforceable in such jurisdiction, it shall, as to such jurisdiction, be so narrowly drawn, without invalidating the remaining provisions of this Certificate of Incorporation or affecting the validity or enforceability of such provision in any other jurisdiction.

Section 13.03 Construction. In this Certificate of Incorporation, unless the context otherwise requires: (a) section headings in this Certificate of Incorporation are for convenience of reference only and shall not be given any substantive effect in limiting or otherwise construing any provision herein; (b) words importing the singular include the plural and vice versa; (c) pronouns of either gender or neuter shall include, as appropriate, the other pronoun forms; (d) a reference to a clause, party, section, article, annex, exhibit or schedule is a reference to a clause or section of, or a party, annex, exhibit or schedule to this Certificate of Incorporation, and a reference to this Certificate of Incorporation includes any annex, exhibit and schedule hereto; (e) a reference to a statute, regulations, proclamation, ordinance or by law includes all statutes, regulations, proclamations, ordinances or bylaws amending, consolidating or replacing it, whether passed by the same or another Governmental Entity with legal power to do so, and a reference to a statute includes all regulations, proclamations, ordinances and bylaws issued under the statute; (f) a reference to a document includes all amendments or supplements to, or replacements or novations of, that document; (g) a reference to a party to a document includes that party's successors, permitted transferees and permitted assigns; (h) the use of the term "including" means "including, without limitation"; (i) the words "herein", "hereunder" and other words of similar import refer to this Certificate of Incorporation as a whole, as the same may from time to time be amended, modified, supplemented or restated, and not to any particular section, subsection, paragraph, subparagraph or clause contained in this Certificate of Incorporation; (j) the title of and section and paragraph headings used in this Certificate of Incorporation are for convenience of reference only and shall not govern or affect the interpretation of any of the terms or provisions in this Certificate of Incorporation; and (k) where specific language is used to clarify by example a general statement contained herein, such specific language shall not be deemed to modify, limit or restrict in any manner the construction of the general statement to which it relates.

ARTICLE XIV**FORUM SELECTION**

Section 14.01 Forum Selection. Unless the Corporation consents in writing to the selection of an alternative forum, the Court of Chancery of the State of Delaware shall, to the fullest extent permitted by law, be the sole and exclusive forum for (i) any derivative action or proceeding brought on behalf of the Corporation, (ii) any action asserting a claim of breach of a fiduciary duty owed by any current or former director, officer, other employee or stockholder of the Corporation to the Corporation or the Corporation's stockholders, (iii) any action asserting a claim arising pursuant to any provision of the DGCL, this Certificate of Incorporation or the Bylaws or as to which the DGCL confers jurisdiction on the Court of Chancery of the State of Delaware, or (iv) any action asserting a claim governed by the internal affairs doctrine, except for, as to each of (i) through (iv) above, any claim as to which the Court of Chancery determines that there is an indispensable party not subject to the jurisdiction of the Court of Chancery (and the indispensable party does not consent to the personal jurisdiction of the Court of Chancery within ten (10) days following such determination), which is vested in the exclusive jurisdiction of a court or forum other than the Court of Chancery, or for which the Court of Chancery does not have subject matter jurisdiction. The foregoing will not apply to claims asserting a cause of action arising under the Securities Act of 1933, as amended, the Exchange Act or other federal securities laws for which there is exclusive federal or concurrent federal and state jurisdiction and, unless the Corporation consents in writing to the selection of an alternative forum, the federal district courts of the United States of America shall be the exclusive forum for the resolution of such claims.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the undersigned duly authorized officer of the Corporation has executed this Amended and Restated Certificate of Incorporation on this 30th day of December, 2021.

TANGO HOLDINGS, INC.

By: /s/ John J. Suydam

Name: John J. Suydam

Title: President and Secretary

**CERTIFICATE OF AMENDMENT
OF
AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
TANGO HOLDINGS, INC.**

Tango Holdings, Inc. (the "Corporation"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, DOES HEREBY CERTIFY:

FIRST: This Certificate of Amendment of the Amended and Restated Certificate of Incorporation of Tango Holdings, Inc. amends the Amended and Restated Certificate of Incorporation of the Corporation solely to reflect a change in name of the Corporation and shall be effective as of 1:01 a.m. Eastern Standard Time on January 1, 2022.

SECOND: Article I of the Amended and Restated Certificate of Incorporation of the Corporation is hereby amended to read in its entirety as follows:

“ARTICLE I

The name of the Corporation is Apollo Global Management, Inc.”

THIRD The foregoing amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the undersigned has caused this Certificate of Amendment to be executed by its duly authorized officer on this 30th day of December, 2021.

Tango Holdings, Inc.

By: /s/ John J. Suydam

Name: John J. Suydam

Title: President and Secretary

*[Signature Page to Certificate of Amendment to Amended and Restated Certificate of Incorporation of
Tango Holdings, Inc.]*

EXHIBIT C

SAPA Notice

Notice of Proposed Rule Making (Rate Making only)

(SUBMITTING AGENCY)

NOTE: Typing and submission instructions are at the end of this form. Please be sure to COMPLETE ALL ITEMS. Incomplete forms will be cause for rejection of this notice change in text.

1. Proposed action:

Approval of proposed transaction involving ACP Crotona Holdings, L.P. ("ACP Crotona Holdings"), Argo Infrastructure Partners LP ("Argo"), and Apollo Global Management, Inc. ("Apollo")

2. Statutory authority under which the rule is proposed:

New York Public Service Law Section 70

3. Subject of the rule:

Proposed transfer of interests involving ACP Crotona Holdings, Argo and Apollo

4. Purpose of the rule:

To approve the proposed transaction involving ACP Crotona Holdings, Argo and Apollo

5. Public hearings (check box and complete as applicable):

A public hearing is not scheduled. (*SKIP TO ITEM 8*)

A public hearing is required by law and is scheduled below. (**Note:** first hearing date must be at least 60 days after publication of this notice unless a different time is specified in statute.)

A public hearing is not required by law, but is scheduled below.

Time:

Date:

Location:

6. Interpreter services (check only if a public hearing is scheduled):

Interpreter services will be made available to hearing impaired persons, at no charge, upon written request to the agency contact designated in this notice.

7. Accessibility (check appropriate box only if a public hearing is scheduled):

- All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.
- Attached is a list of public hearing locations that are **not** reasonably accessible to persons with a mobility impairment. An explanation is submitted regarding diligent efforts made to provide accessible hearing sites.



8. Terms of rule (SELECT ONE SECTION):

- A. The full text of the rule is attached because it does not exceed 2,000 words.
- B. A summary of the rule is attached because the full text of the rule exceeds 2,000 words. Web posting of full text of such rule is not required [SAPA §202(1)(a)].
- C. Pursuant to SAPA §202(7)(b), the agency elects to print a description of the subject, purpose and substance of the rule as defined in SAPA §102(2)(a)(ii) [Rate Making]. Web posting of full text of such rule is not required [SAPA §202(1)(a)].

9. The text of the rule and any required statements and analyses may be obtained from:

Agency contact _____
 Agency Name _____
 Office address _____
 Telephone _____ E-mail: _____

10. Submit data, views or arguments to (complete only if different than previously named agency contact):

Agency contact The Honorable Michelle Phillips
 Agency name New York State Public Service Commission
 Office address Three Empire State Plaza
Albany, NY 12223-1350
 Telephone (518) 474-6530 E-mail: secretary@dps.ny.gov

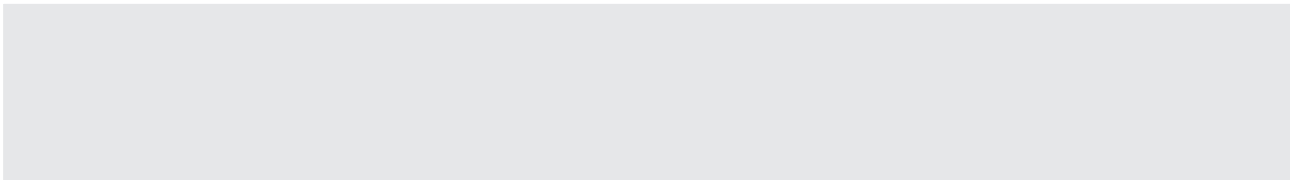
11. Public comment will be received until:

- 60 days after publication of this notice (MINIMUM public comment period).
- 5 days after the last scheduled public hearing required by statute (MINIMUM, with required hearing).
- Other: (specify) _____.

12. A prior emergency rule making for this action was previously published in the _____ issue of the Register, I.D. No. _____.

13. Additional matter required by statute:

- Yes (include below material required by statute).



- No additional material required by statute.

14. Regulatory Agenda [See SAPA §202-d(1)]:

This action was a Regulatory Agenda item in the following issue of the *State Register*: _____ .

This action was not under consideration at the time this agency's Regulatory Agenda was submitted for publication in the *Register*.

Not applicable.

15. **Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

16. **PUBLIC SERVICE COMMISSION ONLY:**

SAPA NO. _____

AGENCY CERTIFICATION (To be completed by the person who PREPARED the notice.)

I have reviewed this form and the information submitted with it. The information contained in this notice is correct to the best of my knowledge.

I have reviewed Article 2 of SAPA and Parts 260 through 263 of 19 NYCRR, and I hereby certify that this notice complies with all applicable provisions.

Name _____ Signature _____

Address _____

Telephone _____ E-Mail _____

Date _____

Please read before submitting this notice:

1. Except for this form itself, all text must be typed in the prescribed format as described in the Department of State's Register procedures manual, *Rule Making in New York*.
2. Rule making notices, with any necessary attachments (in MS Word), should be e-filed via the Department of State website.

EXHIBIT D

SEAF

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: 4/1/2025 Signature:  _____ Title: _____		