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June 27, 2018

Via Electronic Filing

Hon. Kathleen H. Burgess, Secretary
New York State Public Service Commission
Empire State Plaza, Agency Building 3
Albany, NY 12223-1350

RE: Case 18-F-0262, High Bridge Wind Project, Chenango County, New York

Dear Secretary Burgess:

Our office represents High Bridge Wind, LLC ("the Applicant"), a wholly-owned subsidiary of Calpine Corporation, which is seeking a Certificate of Environmental Compatibility and Public Need ("Certificate"), under Article 10 of the Public Service Law, to construct the High Bridge Wind Project ("the Project")—an approximately 100 megawatt wind powered electric generating facility proposed to be located in the Town of Guilford, Chenango County, New York.

On April 27, 2018, High Bridge Wind filed its draft Public Involvement Program (PIP) Plan. On May 29, 2018, DPS Staff provided comments and feedback on Applicant's PIP. Enclosed please find Applicant's responses to DPS Staff Comments, and a Final PIP.

We look forward to working with the New York State Board on Electric Generation Siting and the Environment, DPS, and Project stakeholders in review of this project. If you have any questions, please feel free to contact my office.

Respectfully submitted,

/s/ Laura K. Bomyea

Laura K. Bomyea
Young/Sommer LLC
Attorneys for High Bridge Wind, LLC

Enclosures

ATTACHMENT A

Case 18-F-0262 – High Bridge Wind Project

High Bridge Wind, LLC (“the Applicant”) provides the following responses to the DPS Staff recommendations specific to the Draft Public Information Program (PIP) Plan:

General Observations and Recommendations

1. DPS Staff recommends that in the revised Public Involvement Program Plan (PIP Plan) for the proposed High Bridge Wind Project, add the case number to the front cover page and in the header of all pages where the case number is indicated.

Response: The case number has been added to the cover page and to all footers in the June 2018 PIP Plan.

2. On Page iii under “Term Identifiers” Adjacent Landowners is defined as “Entities owning parcels abutting the Facility Site or within 500 feet of a wind turbine.” Staff recommends that the definition of “adjacent landowners” be revised to expand the definition.” Staff recommends identifying adjacent landowners as “landowners with property within 2,500 feet of a wind turbine, solar collector array, or substation, or within 500 feet of other Facility Projects components (e.g., collection lines, met tower, O&M Facility, etc.), and any additional landowners whose homes are within 5,000 feet of a turbine. Also, the distinction between “facility area” and “facility site” is difficult to understand. Either provide a better explanation of the difference or use one term.

Response: The definition of adjacent landowner provided in the April 2018 PIP Plan matches the definition of “Adjacent or Contiguous” as set forth in 1000.2(a) of the Article 10 regulations, and therefore remains the same in the June 2018 PIP Plan. Please note that the High Bridge Wind PIP Plan contemplates providing public notice of events such as information sessions and filings to a much broader stakeholder audience than merely “adjacent landowners,” as defined in the PIP or suggested by DPS in this comment. See High Bridge PIP Plan, Section 5. Notices would be placed in newspapers, distributed via mailing lists for any interested parties, posted on the Project website, and made available to local document repositories, municipalities and agencies involved in these proceedings. The range of landowners and residents identified in DPS’s comment, as well as any other landowners or residents in the Facility Area, will be provided the same public notice opportunities regardless of their property’s adjacency to proposed Project components.

The definitions of Facility Area and Facility Site in the Term Identifiers section have been updated to better distinguish between these terms.

3. DPS recommends that the Applicant include efforts to consult with DPS Staff at appropriate times during the outreach period, including during early development of the Preliminary Scoping Statement (PSS).

Response: The Applicant will consult with DPS Staff at appropriate times during the outreach period, including during early development of the Preliminary Scoping Statement (PSS).

Section 2 – Facility Description

2.2: Facility Summary

1. To the extent possible at this stage of the Project, the PIP Plan should provide additional details about the size of the Project facility. In addition, the PIP Plan should describe the general location of the project collection substation, the 115-kV electric transmission line, and the POI substation. The PIP should indicate whether the proposed 115 kV line will be less than 10 miles in length; if the length exceeds 10 miles, explain the relationship of Article 10 to Article VII review for transmission line.

Response: The location of Project facilities, such as the collection and POI substations and the 115-kV electrical transmission line have not yet been finalized. However, the general area where these Facility components would be located is known and this information has been added to the June 2018 PIP Plan.

The proposed 115 kV line will be less than 10 miles in length; this has been noted in the June 2018 PIP Plan.

2. The reference to the Bluestone Wind Project at page 2 is confusing and not necessary in this PIP Plan for the High Bridge Project. DPS recommends either deleting the reference, or providing explanation that Calpine is also developing the Bluestone Wind Project south of the High Bridge project area, in separate Article 10 Case 16-F-0559 (perhaps as additional background in Section 2.1).

Response: The reference to the Bluestone Wind Project has been deleted in the June 2018 PIP Plan.

3. DPS Staff notes that the information provided on the socioeconomic data (economic impact of \$9.71 to \$10.66 per MWh) is not sufficiently explained in a way that the public would readily understand. Staff advises that the Applicant provides, for example, an additional estimated economic impact figures such as the approximate total economic impact or PILOT and/or construction and/or payments to landowners. This information would be of much greater use to the public to understand the overall economic impact and benefits.

Response: The socioeconomic section has been simplified in the June 2018 PIP Plan, and the language flagged by this comment has been removed. The section has been revised to clearly state that a full discussion of the socioeconomic benefits of the Facility will be provided in the High Bridge Wind Project Article 10 Application. As PILOT discussions have not yet begun with host municipalities and landowner negotiations are confidential, estimated socioeconomic impact figures are not yet available for inclusion in this PIP.

Section 3 - Identification of Stakeholders

3.1: Affected State and Federal Agencies

1. State Senator James Seward should be included in the list on page 5.

Response: State Senator James Seward has been included on the list of Affected State and Federal Agencies in the June 2018 PIP Plan.

2. The following contacts for NYS DPS should be included on the Stakeholder/Notification List: James Denn, Public Information Officer; Lorna Gillings, Outreach Contact; and Andrea Cerbin, Counsel. Andrew Davis is with the Department's Office of Electric Gas and Water.

Response: The NYSDPS contacts listed have been added to the Notification List in the June 2018 PIP Plan.

3. The regional director for the Empire State Development Corp in Binghamton is included on the list, but the President and CEO Howard Zemsky in Albany is not listed. He is also the Commissioner of the NYS Department of Economic Development.

Response: The President of the Empire State Development Corporation has been added to the Notification List in the June 2018 PIP Plan.

4. The study area includes a lengthy segment of the Unadilla River in close proximity to the preliminary Facility Area. The Unadilla River is a Study River listed in the National Rivers Inventory (NRI) and candidate for listing under the Wild, Scenic and Recreational Rivers program administered by the National Park Service (NPS). The NRI inventory notes the recreational value of this resource. Federal permitting for the proposed High Bridge Wind Project may require inter-agency consultation with the NPS to assess effects on the waterway.

Response: The National Park Service has been added to the Notification List in the June 2018 PIP Plan.

3.2: Local Agencies

1. Otsego County Planning Department should be included as a stakeholder, given that multiple municipalities are within the study area.

Response: The Otsego County Planning Department has been added to the Notification List in the June 2018 PIP Plan.

3.6: Host and Adjacent Landowners

1. See comment above for the definition of "adjacent landowners" and revise accordingly.

Response: Please see response to General Recommendations, Comment #2 above.

2. DPS Staff recommends that the Applicant add the following statement for this section: "Although they are not identified by name in the PIP Plan's notification list, participating and adjacent landowners will be included in all mailings, outreach activities and notifications that are provided to the stakeholders as the project progresses."

Response: This section of the June 2018 PIP Plan has been updated to incorporate the language recommended by DPS Staff.

Section 4 - Language Access

1. The Applicant should indicate the year of the Census Bureau data used to provide the statistics in this section, as identified in footnote 6.

Response: This section of the June 2018 PIP Plan has been updated to reflect when the Census Bureau data were collected.

Section 5 – Proposed Public Involvement Program

1. DPS Staff recommends that the libraries in the Towns of Oxford and Gilbertsville be added as document repositories.

Response: The Oxford Memorial Library and the Gilbertsville Free Library have been added as document repositories in the June 2018 PIP Plan.

2. This section should also indicate how it will address calls/comments received on the toll-free line during non-business hours.

Response: This section of the June 2018 PIP Plan has been updated to indicate how the Applicant will address calls/comments received on the toll-free line during non-business hours.

3. DPS Staff recommends that in the Revised PIP Plan, the Applicant should clearly state the hours when the Project representative will be available to the public.

Response: The hours when the Facility Representative will be available to the public have been added to the June 2018 PIP Plan.

4. DPS Staff recommends including a statement that additional outreach to host landowners and municipal officials will take place during decommissioning and restoration activities.

Response: The statement recommended by DPS Staff has been added to this section of the June 2018 PIP Plan.

5.1: Consultation with Affected Agencies and Stakeholders

1. The Applicant notes at the bottom of page 10 that it expects to determine which news sources are to be used for official notices after consultation with affected municipalities. On later pages the “Evening Sun” is noted as the designated publication for the official notices in the Town of Guilford and has the largest circulation in Chenango County. DPS Staff advised that the “Evening Sun” should be noted in this section as well. The Applicant should also include a daily newspaper that covers Otsego County, such as the Daily Star. Given that these publications are paid subscription newspapers, DPS recommends that the most circulated free newspaper in the facility area should be used as well.

Response: The section at the bottom of page 10 has been removed in the June 2018 PIP Plan as this consultation has occurred. The Evening Sun is the newspaper of record for the Town of Guilford. Further, the Applicant has called the Evening Sun and the Daily Star and spoken with the Circulation Departments for both newspapers. Both newspapers have subscribers (retail and delivery) in western Otsego County. As such, the Evening Sun provides sufficient coverage. The Applicant has also investigated the

placement of these notices in the Norwich Pennysaver and does not believe that this publication is a good method for distributing information about the High Bridge Wind Project. One of the primary factors that led to this determination is the publication schedule of this newspaper. The Norwich Pennysaver only publishes once a week, making it impractical to include formal notices in this newspaper.

2. This section should indicate that all stakeholder consultation meetings will be documented and summarized in the PIP Tracking Report. It should indicate that concerns and questions raised by the public will be documented in the PIP Tracking Report. The Applicant's response should be provided in the tracking report submitted to the DPS.

Response: Based on this recommendation by DPS Staff the following text has been added to this section: "[t]he Applicant will track its Public Involvement Program and provide regular updates to NYSDEC Staff. Specifically, the Applicant will maintain a Tracking Log that will provide specifics on all stakeholder consultation meetings, including dates, locations, attendees, purpose, and meeting summaries. An example Tracking Log is included as Exhibit C of this document."

Concerns and questions raised by individual members of the public will not be addressed comprehensively in the Tracking Log due to privacy concerns and the progressive character of many of these discussions. However, a "Meeting Summary" column has been added to the Tracking Log and this may be used to generally describe the broader issues discussed, though the information included will be anonymized prior to submission.

5.3: Activities to Educate the Public on the Proposal, Process, and Funding

1. DPS Staff notes that Table 2, Schedule of Key Milestones on Line 1, for the Applicant's Public Information Session, the word "Session" is singular. The Applicant should plan on at least two sessions held on different days and times of the day, prior to the filing of the PSS to provide more opportunities for public participation.

Response: Prior to the filing of the PSS the Applicant will hold two public information sessions at different times of the day to provide more opportunities for public participation. This section of the June 2018 PIP Plan has been updated to reflect this.

2. To the extent possible at this stage, the Applicant should include a project schedule, with key project milestones and dates/times/locations for public participation opportunities.

Response: Some additional details regarding the project schedule have been added to this section. However, since the project is in the initial planning phase, additional milestones or scheduling details (i.e., permitting, construction, etc.) are not known at this time. Additional project information and Article 10 process-related details will be added to the Project website and distributed to the stakeholders in accordance with the June 2018 PIP Plan, as it becomes available.

5.3.1: Public Information Sessions

1. For entries where the Applicant indicates that it has conducted a mailing to the stakeholder list (e.g. prior to the open house meetings), the Applicant should provide an affidavit stating that it used its

stakeholder list (including participating and adjacent landowners) and filing a copy of the list of addresses with the Secretary to the Commission.

Response: Affidavits of service for informational mailings are not required and can prove to be onerous requirements when applied to all mailings that do not involve legal notices. Where a specific legal notice is required by the regulations or the Hearing Examiners, the Applicant will provide proof of service to the Notification List, with a current copy of the Notification List at the time of the mailing. The Notification List may be anonymized for host and adjacent landowners, to preserve privacy. This will include any notices mailed regarding the PSS and Application. The Applicant will also provide verification of open house meeting notices sent to stakeholders prior to and following the PSS filing, including copies of those notices and the relevant distribution lists at the time of those mailings. Section 5.3.1 and Section 5.5 of the June 2018 PIP Plan have been updated to reflect this.

2. The Applicant states that at this point in the progression of the proposed project that multiple sessions will be included if necessary. DPS Staff recommends that multiple sessions be held. These sessions should also be published not only in the Evening Sun as noted in the chart, but in the most widely circulated local free newspaper as well.

Response: Please see responses to Section 5.1, Comment #1 and Section 5.3, Comment #1 above.

3. In 5.3 above, the Applicant states it will mail notice of the public information session to Stakeholders on the Notification List. DPS Staff recommends that notification of the pre-PSS open houses be mailed to all residences and businesses within the Facility and Study Areas, as well as to the host and adjacent landowners and identified stakeholders, to provide a broad announcement of the Facility. The Applicant can use the refined/updated stakeholder list for targeted mailings as the Project moves forward.

Response: The Applicant will mail notice of the pre-PSS public information sessions to all residences and businesses within the Facility Area and all parties on the Notification List. These mailings will also contain contact and document repository information, details where additional Facility information can be obtained, the case number and project website, and an outline of the process for becoming a party to these proceedings or for joining the Notification List. After the filing of the PSS, the Applicant will notify all parties on the Notification List via mail or email of all other public information sessions held by the Applicant. This section of the June 2018 PIP Plan has been updated to reflect these changes.

4. The Applicant should note that all Project outreach materials, including the invitation to the open houses, should reference the Project contact information, how the public can obtain additional Project information and how to be included as a stakeholder.

Response: This section of the June 2018 PIP Plan has been updated to satisfy this recommendation. All outreach materials – including educational materials – will provide the details outlined by DPS Staff in their comment.

5.3.2: Educational Materials

1. As noted above, DPS Staff advises that education materials should include the contact information, toll-free number, document repository locations and website URL for the Project, as well as information on becoming a stakeholder.

Response: Please see response to Section 5.3.1, Comment #4 above.

5.4: Website

1. The Applicant's toll-free number should be indicated on the website under the contact information. Also, the e-mail address should be clearly stated.

Response: The April 2018 PIP Plan indicates that this information will be contained on the Applicant's website.

5.5: Notifications

1. DPS Staff advises that the Applicant provides notification to anyone who is a member of the Stakeholder/Notification List (including landowners and interested parties that have signed up for inclusion on the list, or any entity who has filed a statement with the Secretary), regardless if this would be from within the last twelve months. An updated copy of the Stakeholder/Notification list should be included with the filings, as well as proof of service.

Response: This section of the June 2018 PIP Plan has been updated to 1) clarify that the Applicant will provide notification to anyone who is a member of the Notification List, regardless if this would be from within the last twelve months; and 2) state that an updated copy of the Notification List will be included with the filing of the PSS and the Application, as well as proof of service.

2. Public notices should be published in additional newspapers as discussed in the comments on Section 5.1.

Response: Please see response to Section 5.1, Comment #1 above.

Figures:

1. Figure 2:
 - a. In defining the "Facility Area" DPS advises that there appears to be the possibility that access to "Facility Site" properties could be available directly from NYS Route 8. Any such access roads would be considered component parts of the Major Generating Facility, and the boundaries of the Facility Site would need to be adjusted accordingly. Similar situations might occur elsewhere in the proposed layout. The Study Area would likewise need to be adjusted to incorporate the larger Facilities Site area, potentially including additional municipalities such as Delaware County and the Town of Sidney.

Response: No access roads built as part of this project will tie directly into NYS Route 8. The Facility Area boundary shown in Figure 2 contains all Facility components; therefore, there is no need to expand the Facility Area or Study Area.

- b. DPS recommends using the more recent 2016 version of USGS base mapping for the Project Area available from USGS and including local road names for reference.

Response: Noted, See revised Figures in the June 2018 PIP Plan.

2. Figure 3: Several municipalities should be labelled in Figure 3, including the Towns of Bainbridge, Butternuts, New Berlin, and Preston; and the Village of Sidney.

Response: Noted, See revised Figures in the June 2018 PIP Plan.

Exhibit A: Notification List

1. The Applicant should remove Eric Schneiderman as NYS Attorney General and replace with Barbara Underwood, Acting Attorney General.

Response: Noted, Eric Schneiderman has been replaced with Barbara Underwood as requested in the June 2018 PIP Plan.

2. The Chenango County Highway Department is included in the consultations in Exhibit B but is not identified as a stakeholder.

Response: The Chenango County Highway Department was listed as a local agency in Section 3.2 of the April 2018 PIP Plan. In Exhibit A of the April 2018 PIP Plan, the Chenango County Highway Department contact information was listed under the Chenango County Department of Public Works. Exhibit A has been updated to correct this in the June 2018 PIP Plan.

3. Under the "Municipalities in the Study Area" section, Norwich is mislabeled as a village rather than a city.

Response: Noted, Norwich has been labelled as a city in the June 2018 PIP Plan.

Exhibit B: Goals and Objectives for Stakeholder Involvement

1. The Applicant included the Town of Norwich Highway Superintendent for consultations. The Applicant should clarify whether this was meant to be the City of Norwich.

Response: As neither the Town of Norwich nor the City of Norwich are host municipalities, this reference has been deleted in the June 2018 PIP Plan.

2. The reference to "Confer with DEC regarding Water Quality Certification requirements and process" should also identify NYSDPS staff. (DPS advises that WQC procedures are spelled out in Article 10 regulations at 16 NYCRR 1000.8.)

Response: "DPS Staff" has been added to this section in Exhibit B of the June 2018 PIP Plan.

Exhibit C: PIP Tracking Log

1. The Applicant should provide a log that has been filled in with project activities to date.

Response. The Tracking Log has been updated in the June 2018 PIP Plan. The most recent outreach efforts have been combined with the outreach efforts included in 5.2 of the April 2018 PIP.

2. The "Comment" and "Follow-up Action" should be switched. The Comment column should identify/summarize the type of comments received during the outreach activity.

Response: These columns and the Applicant Response and Future Outreach columns have been subsumed by a "Meeting Summary" column in the June 2018 PIP Plan. Considering the complex, ongoing, and, at times, confidential nature of this process, the broader "Meeting Summary" column is informative without being restrictive or compromising the privacy of individuals in the Meeting Log.

3. For entries where the Applicant indicates that it has conducted a mailing to the stakeholder list (e.g., prior to the open house meetings), the Applicant should provide an affidavit stating that the stakeholder list was used (including participating and/or adjacent landowners and individuals who have requested to be added to the list) and file a copy of the list with the Secretary to the Commission.

Response: Please see response to Section 5.3.1, Comment #1 above.