

Bluestone Wind, LLC

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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 No. 16-F-0559
Bluestone Wind Farm Project
Towns of Windsor and Sanford, Broome County, New York**

Dear Secretary Burgess:

We have received DPS staff comments and recommendations on the preliminary Public Information Program (PIP) plan dated October 3, 2016 for the above referenced project. We thank the DPS Staff for their review and recommendations to Bluestone Wind, LLC (Applicant). We have updated the PIP per your recommendations. Below are comments/responses to each of the items in your letter. A revised PIP is enclosed herewith. If you have any questions, please feel free to contact Alec Jarvis at ajarvis@calpine.com or (207) 956-1169.

General Observations and Recommendations

1. DPS Staff recommends that the Applicant add the case number to the front cover page in the final PIP Plan.

Response: Case 16-F-0059 has been added to cover page.

2. Under the "Term Identifiers" section, the last four items should list the term first (the item in the parenthetical) and then give the definition, i.e. PSL – New York State Public Service Law. The list should also be alphabetized.

Response: The Term Identifiers section has been updated.

Section 2 - Project Summary

2.2: Project Summary

1. DPS Staff notes that the draft PIP plan describes interconnections proposed to NYSEG Afton to Stilesville 115 kV line. The existing transmission line should be indicated on the project area map; and the identification of preliminary locations of Project facilities, including proposed turbine facilities, substation, and switchyard locations, is encouraged.

Response: The approximate location of the NYSEG Afton – Stilesville 115 kV transmission line has been added to Figure 2. The locations of Project facilities, such as turbine locations, have not yet been fully identified and are therefore not shown on the revised figures.

2.3: Study Area

1. The 5-mile Study Area appears to include municipalities in Pennsylvania. The counties of Susquehanna and Wayne and towns that fall within the study area should be noted here.

Response: Figure 3 has been revised to indicate municipal boundaries in Pennsylvania to provide locational context and to better depict the Facility's proximity to the Pennsylvania state line. However, the Study Area has not been expanded to include portions of land outside of New York and in another State, as this would fall outside the scope of New York State law and the definitions provided in NY PSL § 160(1); see also 16 NYCRR § 1000.2(an) with respect to "stakeholders." Doing so may introduce confusion regarding the Board's jurisdiction, for example, to award intervenor funding or impose conditions in other jurisdictions. However, the PIP includes methods of broadly disseminating information without regard for the State jurisdiction (i.e., providing information regarding the Project via the internet, providing public notices to newspapers with circulation in Pennsylvania, potential local project office in proximity to the state line, etc.) and going forward, the Project sponsor will continue to consider methods of ensuring outreach and information dissemination in areas not currently covered by the PIP depending on, among other things, feedback received from the public. Furthermore, any interested Pennsylvania residents who wish to receive Project updates will be encouraged to join the Project mailing list.

Section 3 - Identification of Stakeholders

3.1: Affected State and Federal Agencies

1. DPS staff advises that the elected officials list include officeholders subject to replacement at upcoming elections. Status should be reviewed and updated accordingly through the transitional period.

Response: In November 2016, District 22 Representative Richard Hanna was replaced with Representative Claudia Tenney and District 19 Representative Christopher Gibson was replaced with Representative John Faso. These changes have been reflected in the December PIP.

2. As noted above, municipalities in the study area should include the appropriate counties, towns, and villages in Pennsylvania.

Response: Please see response to Section 2.3: Study Area, Comment #1 above. Pennsylvania communities are not "municipalities" for Article 10 purposes, and are not covered by Article 10's public notice and outreach requirements.

3.5: Additional Stakeholders

1. DPS staff recommends that Millennium Pipeline, a major gas transmission pipeline traversing the Facility Area, be added to the list of stakeholders.

Response: Millennium Pipeline Co., LLC added to the Additional stakeholders list.

3.6: Host and Adjacent Landowners

1. DPS Staff recommends that the draft PIP Plan be revised to expand the definition of "adjacent landowners." DPS 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 Project

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.

Response: The definition of adjacent landowner provided in the October 2016 PIP 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 December 2016 PIP. Please note that the Bluestone Wind PIP 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 Bluestone PIP 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' comment, as well as any other landowners or residents in the Project Area, will be provided the same public notice opportunities regardless of their property's adjacency to proposed Project components.

3.8: Environmental Justice

1. Spell out NYSDEC or include it in the definition of terms section.

Response: This has been added to the definition of terms section

Section 4 - Language Access

1. The Study Area includes portions of Pennsylvania. Census data should be reviewed to identify if languages other than English are spoken in these areas.

Response: Please see response to Section 2.3: Study Area, Comment #1 above. These provisions are intended to ensure that public notice and outreach is conducted appropriately for the municipalities in the Project and Study Areas. Given that Article 10 requires such outreach to New York communities only, this information is unnecessary and not required under the regulations.

2. Table 1 should be updated to include zip codes in Pennsylvania, if applicable.

Response: Please see response to Section 2.3: Study Area, Comment #1 above.

Section 5 – Proposed Public Involvement Program

1. DPS Staff recommends that in the Final PIP Plan the Applicant provide the location of the local Project office (if available) and clearly state the hours of operation when Project representatives will be available to the public. The Applicant should indicate how it will advertise the location and hours of the field office.

Response: As indicated in the October 2016 PIP, the Applicant may consider establishing a local office. At the time that this decision is made, contact information, hours of operation and address will be provided if applicable.

5.1: Consultation with Affected Agencies and Stakeholders

1. The Applicant indicates that it will engage stakeholders prior to filing the PSS by direct correspondence and review of comments on the website. The Applicant should provide more details about these activities, i.e. who will receive the direct correspondence, when and for what purpose.

Response: Exhibit B included in the October 2016 PIP includes detailed information pertaining to the goals, objectives and methods for stakeholder engagements. Exhibit B has been updated to include additional information on proposed notifications associated with the PSS and Article 10 Application. In addition to the information contained with Exhibit B, additional details on stakeholder engagement have been added to Section 5.1 as well as 5.3 and 5.5 of the December 2016 PIP.

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

1. 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: The Applicant has provided a schedule in Section 5.3 of the November 2016 PIP, which outlines key milestones for public involvement (i.e., open houses, filing of Public Scope Statement (PSS), PSS comment period). Since the project is in the initial planning phase, additional milestone 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 PIP plan, as it becomes available.

5.3.1: Public Meetings

1. DPS Staff recommends the Final PIP be updated to include the date, time and location of its open houses if known.

Response: The Town of Windsor's Open House will be held at the Windsor High School either January 25 or 26, 2017. The Town of Stanford's Open House is not yet scheduled, but is anticipated to occur in February or March 2017. The December 2016 PIP has been updated accordingly. Once dates for these sessions are finalized, they will be posted to the Project website. As noted in Sections 5.3.1 and 5.5, notice of these public meetings will be distributed to stakeholders in accordance with the PIP plan, and will be noticed in local newspapers at least 14 days prior to the scheduled event(s).

2. Notification regarding the open houses should be mailed/e-mailed to the Stakeholder List.

Response. The following language has been added to the December 2016 PIP: "Notification of all public meetings held by the Applicant will be mailed or emailed to the Stakeholders List."

3. Notification of the open houses should be placed in newspapers that cover the counties in Pennsylvania that are part of the Study Area.

Response: The Applicant does not intend to advertise or notice the project in additional publications other than the three publications referenced in the December 2016 PIP. Regarding the Counties in Pennsylvania, please see response to Section 2.3: Study Area, Comment #1 above.

5.3.2: Educational Materials

1. In addition to information on the Article 10 process, the Applicant should provide materials regarding intervenor funding.

Response: The Applicant has added intervenor funding to the educational materials section of the December 2016 PIP.

5.4: Website

1. The project website url is not user-friendly – the name is too long and is not intuitive, i.e. it doesn't include the project name and a consumer would have to know the name of the company sponsoring the project to find the page. DPS Staff recommends a short url that includes the name of the project.

Response: The website included in the October 2016 PIP was a preliminary version. An updated version is now active and consists of a shortened website URL:

<http://www.calpine.com/bluestonewind>. This link is referenced in the December 2016 PIP. Visitors can also access the Project website via www.bluestonewind.com, which will redirect all traffic to the main project page.

2. In the seventh bullet, there should be a break after “how to apply” so that the information about project figures has its own bullet.

Response: Correction made in the December 2016 PIP.

5.5: Notifications

1. As noted under Section 5.3.1, the Applicant should include notifications in newspapers covering the appropriate municipalities in Pennsylvania.

Response: The Applicant does not intend to advertise or notice the project in additional publications other than the three publications referenced in the December 2016 PIP. Regarding the Counties in Pennsylvania, please see response to Section 2.3: Study Area, Comment #1 above.

2. The notification procedures in this section should also be used when the PSS is filed.

Response: Noted, this been added to the notification section of the December 2016 PIP.

3. For clarification, copies of the PSS and Application will be served on all parties identified in 16 NYCRR § 1000.5(c). Members of the State Legislature in whose district the Facility is proposed to be located receive written notice of the filings. Written notification of the PSS and Application should be provided to the Stakeholder List as well.

Response: Noted. The December 2016 PIP states “No less than three days before filing of the PSS and Application, the Applicant will publish a summary of the respective documents in the newspapers listed above. Copies of the PSS and Application will be served to all parties identified in 16 NYCRR § 1000.5(c). Written notice shall be provided to all members of the State Legislature in whose district the Facility is proposed to be located, members of the Stakeholder List and those persons who have filed a statement with the secretary within the past twelve months that wish to receive all such notices. In addition, notifications will be posted on the Project website.”

Figures

1. The Final PIP should include an updated “Facility Area” map. The current map is outdated. Route I-86 is labelled as “17” and not all local road names are indicated.

Response: See revised Figures in the December 2016 PIP.

2. Figures 1 and 2: County boundaries should be more prominent, including the boundaries in Pennsylvania.

Response: See revised Figures in the December 2016 PIP.

3. Figure 3: The figure needs to show the Study Area boundaries in Pennsylvania and identify the appropriate municipalities.

Response: The all municipalities in Pennsylvania have been added for reference in the revised Figure 3 included in the December 2016 PIP. However, communities outside New York are not considered to be within the formal Study Area boundary, which was not edited, as these municipalities are outside the jurisdiction of the Siting Board and Article 10, for the reasons noted above.

Exhibit A: Stakeholders

1. The Applicant should add additional stakeholders identified by DPS Staff in comments above, and the results of early consultations with these stakeholders, as recommended above.

Response. The Applicant has added Millennium Pipeline Co., LLC, all newly-elected officials and NYSDEC Commissioner to Exhibit A of the December 2016 PIP.

2. Contact persons as well as email addresses should be established for those agencies without an individual or contact email listed.

Response. Exhibit A of the December 2016 PIP has been updated to include individual contacts and email addresses, to the extent that information was publicly available.

3. The Commissioner of NYSDEC should be included.

Response: Noted, see revised Exhibit A of the December 2016 PIP.

4. Local Hazard Mitigation Point-of-contact personnel should be added to the stakeholder list as appropriate.

Response: Frank Evangelisti, Director of Broome County Department of Planning also serves as the Local Hazard Mitigation Point-of-Contact. This has been updated in Exhibit A of the December 2016 PIP.

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. The most recent outreach efforts have been combined with the outreach efforts included in 5.2 of the October 2016 PIP.

Respectfully,



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