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Hon. Jackie Brillling  
Secretary  
Public Service Commission  
3 Empire State Plaza  
Albany, NY 12223

October 11, 2007

RE: Case 06-E-1424  
*Letter in Support of the Petitions for Rehearing by the Towns of Stark and  
Warren and by Jordanville Wind, LLC.*

Dear Secretary Brillling,

The Alliance for Clean Energy New York, Inc. (ACE NY) submits this letter in support of the requests for rehearing in case 06-E-1424 made by the Towns of Warren and Stark, the host towns, and Jordanville Wind, LLC, the project developer. While ACE NY fully supports the Public Service Commission (PSC) oversight and approval processes for wholesale electric power generation projects, we do not believe this particular case was handled appropriately. In fact, ACE NY is dismayed by the Department of Public Service (DPS) review process in this case and its apparent disregard of the facts. **The Public Service Commission should undertake a careful review of the evidence for rehearing presented by the petitioners and should do so without delay.**

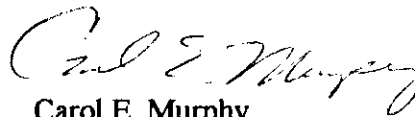
ACE NY has been privy to the details of project development and approvals of a number of renewable energy projects within New York State, and we have never seen a decision that seems so blatantly skewed - by staff - to favor project opponents over an accurate presentation of the facts. Neither should DPS staff be the arbiter of historic preservation, which is appropriately OPRHP's domain in the first instance, not withstanding the required Section 14.09 consultations. The historic preservation findings of the PSC in this Order are particularly troubling given the project is more than five miles from the Glimmerglass Historic District.

It appears to ACE NY that the project developer and the lead agency took their responsibilities under SEQRA quite seriously and also engaged in numerous consultations with DPS staff while, on the other hand, DPS staff failed to properly acknowledge the SEQRA record and failed to be forthcoming with the project developer during consultations. In addition, we have seen the visual assessment prepared for the EIS and do not understand how the DPS staff came to their conclusions that 19 turbines must be removed.

It is ACE NY's belief that development of New York's abundant renewable resources is in the best interests of all New Yorkers. Clean power production, such as wind energy, helps combat global climate change, improves public health and the environment, and enhances energy security. It is also true that development of these resources provides economic benefits to host communities and helps preserve open space and working farms. We are in agreement with the Towns' perspective that ordering conservation easements on land where turbines have been removed due to the PSC Order is imposing an illogical and unfair burden as landowners being deprived of income from turbines will be unlikely to give up other development rights needed to replace the lost income (conservation easements are unlikely to be as lucrative as turbine income).

We also are deeply troubled by the petitioners assertions of impropriety by DPS staff and support the request for rehearing in order to ensure the Commissioners provide a thorough review of the substantive issues at hand and the procedures used to develop the record and the disputed Order. Both the project owner and the Towns, which stand to lose substantial economic benefits and which have had their handling of the SEQRA process denigrated, deserve nothing less. In addition, we feel it is in the public interest to conduct a timely and thorough rehearing given the important benefits renewable resource development can provide to all New Yorkers.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Carol E. Murphy".

Carol E. Murphy  
Executive Director