

# STATE OF NEW YORK

## PUBLIC SERVICE COMMISSION

### NOTICE OF PUBLIC STATEMENT HEARING AND SECOND NOTICE OF INTERVENOR FUND AVAILABILITY CONCERNING THE CRICKET VALLEY ENERGY CENTER, LLC

#### ARTICLE VII TRANSMISSION LINE APPLICATION (Case 13-T-0585) (Issued July 3, 2014)

Cricket Valley Energy Center, LLC (Cricket Valley or the Applicant) has filed an application pursuant to Public Service Law Article VII for authorization to construct and operate a new approximately 14.6-mile 345 kilovolt (kV) transmission line to connect the planned Cricket Valley Energy Center<sup>1</sup> generation facility in the Town of Dover, New York to the Pleasant Valley Substation owned by Consolidated Edison Company of New York, Inc. (Con Edison), in the Town of Pleasant Valley, New York, (the Transmission Line). The new transmission facility would run parallel to, and be placed entirely within, the right-of-way for the existing Con Edison 345 kV Line 398. Con Edison operates the existing right-of-way and will continue to manage the corridor. The proposed transmission facility would be constructed of galvanized, double-circuit, steel monopoles, supporting double-bundled conductors. In addition, the Applicant proposes to re-conductor an approximately 3.4-mile segment of the existing 345 kV Line 398 in the Town of Dover between the Cricket Valley Switchyard and the New York – Connecticut state line (the Reconductoring Segment; collectively, the Project).

Cricket Valley also has requested that the Commission issue a water quality certification pursuant to the Federal Water Pollution Control Act, Section 401 (33 U.S.C. §1341) (see Application, Exhibit 8, Section 8.4).

TAKE NOTICE that an opportunity for public education and a public statement hearing will be held before an Administrative Law Judge, as follows:

#### TOWN OF PLEASANT VALLEY:

Date: August 4, 2014

Location: Pleasant Valley Town Hall

1554 Main Street

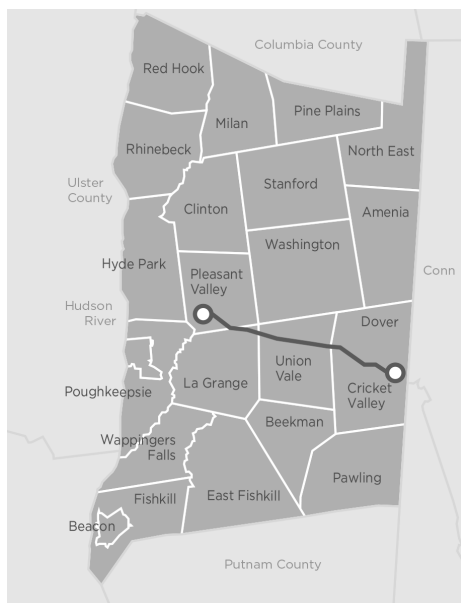
Pleasant Valley, NY 12569

Time: Informational Forum:

6:00 P.M. – 7:00 P.M.

Public Statement Hearing:

7:00 P.M.



Location of Transmission Line

Before the public statement hearing, Department of Public Service Staff will host an Informational Forum, to provide an overview of the Public Service Law certification process. Cricket Valley will then present a brief summary of the proposed project and will have maps of the proposed route and alternative routes available for viewing. These presentations will be followed by an opportunity for members of the public to pose questions about the transmission line application.

In order to speak at the public statement hearing, it is not necessary to be present at the start of the hearing, to make an appointment in advance, or to present written material. Persons will be called to speak after completing a request card. The hearing will continue until everyone wishing to speak has been heard or other reasonable arrangements have been made. A verbatim transcript of the hearing will be made for inclusion in the record of these proceedings.

Disabled persons requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518) 474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Commission at 1-800-342-3377 for free language assistance services regarding this notice.

The application may be reviewed online at the Department of Public Service web page and is available at local public libraries in the project vicinity.

#### Other Ways to Comment

For those who cannot attend or prefer not to speak at a public statement hearing, there are several other ways to provide your comments to the Commission. Comments should refer to "Case 13-T-0585."

**Via the Internet or Mail:** The public may submit comments electronically to the Hon. Kathleen H. Burgess, Secretary, at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Comments may also be entered directly into the case file by locating the case via the home page of the Commission's Web site, [www.dps.ny.gov](http://www.dps.ny.gov), by clicking on "Search," and entering 13-T-0585 in the "Search by Case Number" field. In the open case, enter comments in the "Post Comments" field located at the top of the page. Comments should refer to Case 13-T-0585. Many libraries offer free internet service. Members of the public without internet access may submit comments by mail or delivery to Secretary Burgess at the New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.

**Toll-Free Opinion Line:** Individuals may choose to submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This line is set up to receive in-state calls 24-hours a day. These calls are not transcribed but a summary is provided to the presiding Administrative Law Judge (ALJ) who will report to the Commission.

All comments will become part of the record considered by the Commission. Comments will be accepted throughout the pendency of the proceeding. Written comments may be read on the Department Web site by searching Case 13-T-0585 and clicking on the "Public Comments" tab; transcripts of public statement hearings will be posted to the Website in the "Public Documents" tab.

Comments will be accepted throughout the pendency of this case.

TAKE FURTHER NOTICE that, pursuant to Public Service Law (PSL) §122(5), an intervenor fund of \$50,000 has been established for this proceeding. The purpose of the intervenor fund is to allow parties to contribute to the development of a complete record leading to an informed Commission decision, and to foster broad public participation in this case.

Parties requesting intervenor funds must comply fully with the Commission's rules, particularly, Rule 85-2.4(d), which describes the information required for a funding request. The Commission's rules applicable to intervenor funding appear at 16 NYCRR 85-2.4. The Part 85 Rules, including 85-2.4, may be accessed at the following webpage: <http://tinyurl.com/pvh9mdn>.

An initial schedule for requesting intervenor funds was provided in a June 2, 2014 Notice of Intervenor Fund Availability, requiring the filing of requests for funds by June 17, 2014, and one request for funds was filed, by Dutchess County. This notice establishes a second opportunity to request intervenor funds. Such requests must be filed with the Commission Secretary ([secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)) by Friday, August 8, 2014, with a copy of the request provided to the presiding ALJ for this case, Kevin Casutto ([kevin.casutto@dps.ny.gov](mailto:kevin.casutto@dps.ny.gov)). Requests for funds should preferably be filed electronically or, if e-mail is unavailable, by U.S. Postal Service, first class mail, to Hon. Kathleen H. Burgess, Secretary, 3 Empire State Plaza, Albany, NY 12233-1350, with a copy to Kevin Casutto at the same address. Inquiries concerning the intervenor fund application process may be directed to ALJ Casutto.

The matters described above are being considered in the following case:

Case 13-T-0585 – Application of Cricket Valley Energy Center, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law For Approval of a New 345 kV Line From the Pleasant Valley Substation to the Cricket Valley Energy Center, LLC, and the Reconductoring of an Existing 345 kV Line, in the Town of Dover, Dutchess County.

*Kathleen H. Burgess*

Digitally Signed by Secretary  
New York Public Service Commission

KATHLEEN H. BURGESS

Secretary

<sup>1</sup> Cricket Valley Energy Center is a 1000-megawatt (MW) power plant that was reviewed under the State Environmental Quality Review Act (SEQRA), Environmental Quality Law, Article 8. The New York State Department of Environmental Conservation (NYSDEC) was the lead agency pursuant to SEQRA. Cricket Valley submitted a Draft Environmental Impact Statement in May 2011 and the SEQRA process was completed in September 2012, when NYSDEC issued a Finding Statement and various environmental permits allowing construction of the project to proceed. In February 2014, the Public Service Commission granted a Certificate of Public Convenience and Necessity for the construction of the power plant in Case 11-E-0593.