

Cassadaga Wind Project

Chautauqua County, New York

NOTICE OF SUBMISSION OF APPLICATION

Cassadaga Wind LLC (Applicant), a subsidiary of EverPower Wind Holdings, Inc. is proposing to construct a major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about May 19, 2016 the Applicant will file an Application pursuant to 16 NYCRR 1000.6.

The Project is a proposed 126 MW wind-powered electric generation project (of up to 58 wind turbines) in the Towns of Charlotte, Cherry Creek, and Arkwright, together with access roads, above and underground 34.5 kilovolt (kV) collection lines, an above ground 115 kV generator lead line, a collection substation, a point of interconnection (POI) substation, two permanent meteorological (met) towers, two temporary staging/laydown yards, and an Operations and Maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation, an overhead 115 kV electrical feeder line and an interconnection substation, which will interconnect with National Grid's Dunkirk-Moon 115 kV transmission line in the Town of Stockton. It is anticipated that the newly constructed 115 kV generator lead line will be approximately 5.5 miles in length. The Project is proposed to be located on leased private land. A copy of the Application will be served on the Supervisors of Arkwright, Charlotte, Cherry Creek and Stockton.

The Project will result in the generation of electricity from wind, a renewable energy source, avoiding harmful emissions and the use of water resources that are typically associated with energy generation. In addition, the Project assists the State in meeting the goals of the State Energy Plan, which includes a goal of 50% of energy generation from renewable sources by 2030, and other State policy initiatives consistent with the development of the Project. Other positive impacts include employment opportunities, specifically by generating temporary construction employment and full-time jobs, and increased revenues to County and local municipality tax bases, payments to the local hospitality industry, purchase of local supplies and goods, and lease revenues to participating landowners.

The Project is a zero-emission wind energy facility and will not emit any pollutants, however the Project may have minor environmental impacts due to the construction and operation of the Facility including but not limited to: impacts on terrestrial ecology and wetlands, including impacts to avian and bat species; impacts to affected lands, including minor impacts to agricultural land; and impacts to people including noise impacts, traffic impacts, and visual impacts as fully described in the Application.

Pursuant to the Article 10 process, the Applicant filed a Preliminary Scoping Statement (PSS) on September 3, 2015 with the New York Board on Electric Generation, Siting, and the Environment ("Siting Board"). Thereafter the public had an opportunity to submit comments on the PSS. Following the comment period, the Applicant prepared a summary of the material comments and its reply to comments was submitted on October 26, 2015. On October 29, 2015 a pre-application conference to consider intervenor funding requests was held and the scoping stipulation process was ordered to commence on November 6, 2015. The parties entered into stipulations on the contents of the Application (excluding Exhibit 19) which were completed, executed, and filed with the Secretary. In addition, the parties have reached agreement on a Stipulation for the contents of Exhibit 19, which will be filed and circulated for public comment. The Applicant is now ready to file an Application.

This notice is to serve as a summary regarding the contents of the Application. The Application includes, among other things: an analysis of the environmental setting of the Project, potential environmental and health impacts from construction and operation of the Project, benefits of the Project, results from studies conducted (including preconstruction studies and post-construction monitoring for potential impacts to avian and bat species), proposed measures to minimize environmental impacts, and reasonable alternatives. The Application also includes an analysis of impacts to land use; public health and safety; terrestrial ecology, water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including shadow flicker; sound; electric magnetic fields; and impacts on the statewide electrical system. Pursuant to 16 NYCRR 1000.8, the Applicant will be requesting water quality certification pursuant to the Clean Water Act from the Siting Board when the applications for federal permits are made.

Once an Application is filed and determined by the Siting Board to be complete, the Siting Board will schedule a public hearing on the Application. The Siting Board will also issue a notice of availability of application intervenor funds that are available to be used by parties to participate in formal review of the Application. A pre-hearing conference will be scheduled by the Hearing Examiner to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. Additional hearings regarding the application and project impact assessments will be scheduled by the Hearing Examiner as needed. After hearings, the stakeholders may brief their positions and the Hearing Examiner will issue a recommended decision upon which the Siting Board will base its decision. Article 10 requires that all proceedings on the Application, including a final decision by the Siting Board must be completed within 12 months of when the Application is determined to be complete.

Upon filing of the Application, Cassadaga Wind will provide funding in the amount of \$126,000.00 to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Following the filing of the Application, the Hearing Examiner or the Secretary shall issue a notice of availability of application intervenor funds providing a schedule and related information describing how interested members of the public may apply for application funds. Requests for application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of application intervenor funds. Following the submittal of any intervenor funding requests the Hearing Examiner may schedule a pre-hearing conference to consider fund requests.

The record of this proceeding, including the Application, may be examined during normal business hours at the Offices of the DPS at 3 Empire State Plaza, Albany, NY 12223, and may also be viewed at the following public repositories: Cassadaga Branch Library, 18 Maple Avenue, Cassadaga, NY 14718, Sinclairville Free Library, 15 Main Street, Sinclairville, NY 14782, Farman Free Library Association of Ellington, 748 North Park, Ellington, NY 14732.

Contact Information

To obtain information regarding the Project, please contact:

Contact information for Cassadaga Wind:
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Contact information for DPS Article 10 Coordinator:
James Denn
NYS Department of Public Service
3 Empire State Plaza
Albany, NY 12223
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The Application will also be available at the DPS website at (<http://www.dps.ny.gov/>). To access documents, go to “Search” on the top of the webpage and search using the Case Number 14-F-0490 or the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?Mattercaseno=14-F-0490>) or by going to the Project-specific website maintained by the Applicant: (<http://everpower.com/cassadaga-wind-project-ny/>).

File a Request for Notices

Any interested member of the public may file a request with the DPS Secretary to receive copies of all notices concerning the Project, including but not limited to notices regarding any proposed pre-application stipulation. Written requests should be sent to the DPS Secretary at secretary@dps.ny.gov or sent by mail to the following address:

Honorable Kathleen H. Burgess
Secretary to the Commission
NYS Public Service Commission
Agency Building 3
Albany, New York 12223-1350