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February 14, 2018

VIA FIRST CLASS MAIL

Hon. Joseph M. Giglio
New York State Assembly – District 148
District Office
700 West State Street
Olean, New York 14760

Hon. Joseph M. Giglio
New York State Assembly – District 148
Albany Office
LOB 439
Albany, New York 12248

Re: Case 16-F-0062 - Application of Eight Point Wind, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Project

Dear Assemblyman Giglio:

On behalf of our client Eight Point Wind, LLC (“Eight Point Wind”), enclosed please find a copy of the Notice of Submission of Application in the above-referenced matter.

The Application was filed with the New York State Board on Electric Generation Siting and the Environment by Eight Point Wind, LLC on November 28, 2017.

Very truly yours,

Brian J. Schwabenbauer
TRC Companies, Inc.
Permitting Program Manager

Enclosure

Eight Point Wind, LLC
Eight Point Wind Energy Center – Steuben County, New York

NOTICE OF SUBMISSION OF APPLICATION

Eight Point Wind, LLC (the “Applicant”), a subsidiary of NextEra Energy Resources, LLC, is proposing to construct the Eight Point Wind Energy Center (the “Project”), under Article 10 of the N.Y. Public Service Law (“PSL”). This notice announces that on or about November 17, 2017, the Applicant will file an Application pursuant to 16 NYCRR § 1000.6 seeking a Certificate of Environmental Compatibility and Public Need from the New York State Board on Electric Generation Siting and the Environment (“Siting Board”) authorizing the construction and operation of the Project under Article 10.

The Project will have a maximum generating capability of approximately 101.8 megawatts (MW) from up to 31 wind turbines located on land either leased or purchased from owners of private property located in the Towns of Greenwood and West Union in Steuben County, New York. In addition to the wind turbines, the Project components will include access roads, a collection substation, mostly underground 34.5 kilovolt (kV) collection lines, up to two permanent meteorological towers, temporary staging/laydown areas, and an operations and maintenance (“O&M”) building that will include a site for parking and storage areas and will support the permanent O&M staff. An approximately 16.5-mile overhead 115 kV transmission line will be constructed to interconnect to the existing New York State Electric and Gas Corporation’s 115 kV Bennett Substation in Hornellsville, New York. Because the transmission line is greater than 100 kV and the length exceeds 10 miles, it will be permitted separately under Article VII of the PSL. Therefore, the need for, and environmental impact of, the 115 kV transmission line associated with the Project will not be evaluated in the Article 10 Application. See the map below for the location of the Project.

The Project will generate electricity from wind (a renewable energy source) and is a beneficial addition to the electric generation capacity of New York State. Two objectives of the 2015 New York State Energy Plan are (1) a 40% reduction in greenhouse gas emissions from 1990 levels and (2) 50% of electricity generation from renewable energy sources, both by 2030. The Project will make a significant contribution to these goals by providing emission free, low-cost renewable energy to New York’s energy market. The Project will also serve the public interest by creating job opportunities (both temporary construction jobs and full-time jobs), supporting economic growth, and providing lease revenues to participating landowners. The Applicant also plans to contribute significant revenue to the county, towns, and school districts. The Applicant anticipates executing a Host Community Agreement with the towns of Greenwood and West Union and a Payment in Lieu of Taxes (“PILOT”) agreement with Steuben County.

The Applicant has sought to avoid, offset, or minimize any impacts associated with the Project, a zero emission wind energy facility. However, as described in the Application, the construction and operation of the Project may result in minor environmental impacts, including but not limited to: impacts on terrestrial ecology; temporary, local and minor air impacts from the operation of equipment and vehicles during construction; minor impacts to ground and surface water during construction; minor impacts to avian and bat species habitats; visual impacts and minor traffic impacts during construction, as more fully described in the Application.

The Applicant intends to submit a request for a Water Quality Certification (WQC) under Section 401 of the federal Clean Water Act. The WQC is necessary to obtain from the U.S. Army Corps of Engineers because the Project may result in minor discharges of dredged or fill materials into waters of the U.S. during construction.

Pursuant to Article 10 of the PSL, on October 11, 2016, the Applicant made available to the public, state agencies, and affected municipalities a Preliminary Scoping Statement (“PSS”). Comments on the PSS were submitted. On November 22, 2016, the Applicant filed and served its response to comments on the PSS. On December 7, 2016, a pre-application procedural conference to consider requests for intervenor funding was held and the scoping stipulations process was ordered to commence. The parties entered into stipulations on the contents of the Application, which were completed, executed, and filed with the Secretary of the Siting Board on October 19, 2017. The Applicant is now ready to file the Application.

The Application includes, among other things: a description of the Project, including preliminary design drawings and related information; results from pre-construction studies; environmental, economic and other benefits of the Project; proposed measures to avoid, minimize, mitigate, or offset impacts; discussion of the Project's consistency with New York State energy planning objectives; and reasonable Project component alternatives. The Application also addresses potential impacts to: land use; the statewide electrical system; public health and safety; cultural and historical resources; terrestrial ecology; geology; water resources and aquatic ecology; visual, including shadow flicker; noise; transportation; communications; and electric and magnetic fields. The Article 10 regulations outlining the required contents of the Application can be found at 16 NYCRR § 1001.1 *et seq.*

This notice is being provided pursuant to 16 NYCRR § 1000.7, and will be published at least three days prior to the filing of the Application. A copy of the Application will also be served on the chief executive officer of each municipality in which any portion of the Project is located, as well as those persons and agencies listed in 16 NYCRR § 1000.6.

Once the Application is filed and determined by the Siting Board to be compliant with filing requirements, the Siting Board will schedule a public hearing on the Application. The Siting Board will also issue a notice of availability of 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 examiners 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 examiners as needed. After hearings, the stakeholders may brief their positions and the hearing examiners 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 compliant.

Upon filing of the Application, the Applicant will provide funding in the amount of \$101,800 to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including fees for attorneys and consultants, associated with participating in the Article 10 process during the application review phase. 50% of these intervenor funds are reserved for municipalities. Following the filing the Application, the hearing examiners or the Secretary will issue a notice of availability of intervenor funds that will provide a schedule and related information describing how interested members of the public may apply for intervenor funds. Requests for intervenor funds must be submitted to the hearing examiners within 30 days after issuance of the notice of the availability of intervenor funds. Following the submittal of any intervenor funding requests, the hearing examiners 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 New York State Department of Public Service ("DPS") at 3 Empire State Plaza, Albany, New York 12223, and may also be viewed at the following public repositories: Jasper Free Library, 3807 Library Street, Jasper, New York 14855; Wimodaughsian Free Library, 19 West Main Street, Canisteo, New York 14823; City of Hornell Public Library, 64 Genesee Street, Hornell, New York 14843; and Herrick Memorial Library, 1 Saxon Drive, Alfred, New York 14802.

Contact Information:

To obtain information regarding the Project, please contact:

Contact Information for Applicant

David Gil
NextEra Energy Resources, LLC
700 Universe Blvd., E5420
Juno Beach, Florida 33408
Telephone: (561) 304-5201
Email: david.gil@nee.com

Contact Information for DPS Article 10 Coordinator

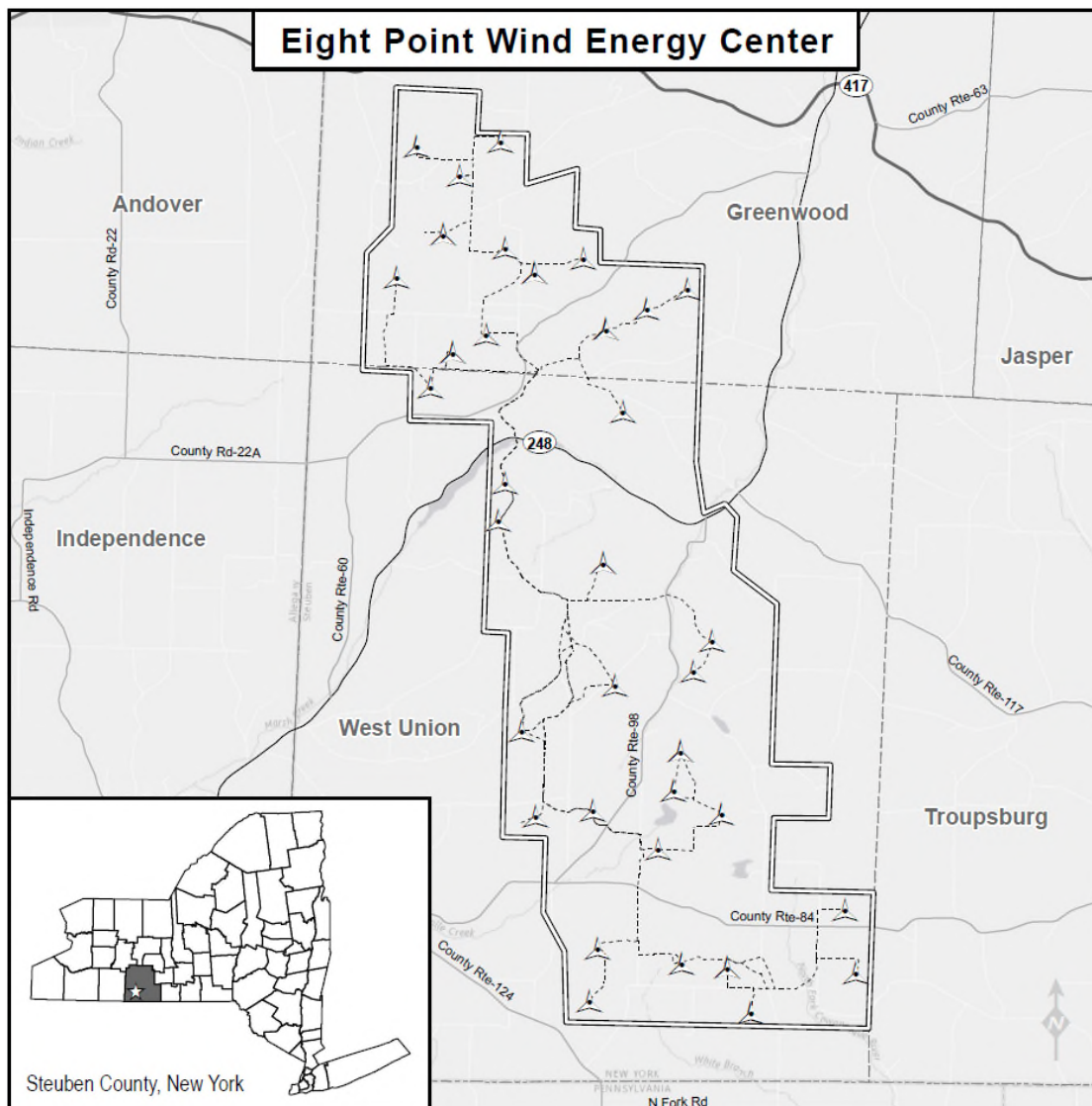
James Denn
NYS Department of Public Service
3 Empire State Plaza
Albany, New York 12223
Telephone: (518) 474-7080
Email: james.denn@dps.ny.gov

The Application will also be available at the DPS website at <http://www.dps.ny.gov>. To access documents, go to “What’s Trending” and “Generation Siting” and click on the link “Eight Point Wind” or the direct link for Case Number 16-F-0062: <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=16-F-0062&submit=Search> or by going to the Project-specific website maintained by the Applicant at <http://eightpointwind.com/>.

File a Request for Notices:

Any member of the public may file a request with the PSC Secretary to receive copies of all notices concerning the Project. Written requests should be sent to the PSC Secretary at secretary@dps.ny.gov or sent by mail to the following address:

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



NEW YORK STATE BOARD ON ELECTRIC
GENERATION SITING AND THE ENVIRONMENT

Application of Eight Point Wind, LLC for a Certificate
of Environmental Compatibility and Public Need
Pursuant to Article 10 to Construct a Wind Energy Project

Case No. 16-F-0062


AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF ONONDAGA)

Katherine McGowan, being duly sworn, deposes and says that on the 14th day of February 2017, she served a copy of the attached Notice of Submission of Application with respect to the above-captioned proceeding by mailing a hard copy via first-class mail to the individual listed below as a member of the state legislature in whose district a portion of Eight Point Wind, LCC's proposed facility is located.

Hon. Joseph M. Giglio
New York State Assembly – District 148
District Office
700 West State Street
Olean, New York 14760

Hon. Joseph M. Giglio
New York State Assembly – District 148
Albany Office
LOB 439
Albany, New York 12248.


Katherine McGowan

Sworn to me before
this 14th day of February 2018.


Notary Public

