

# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

www.youngsommer.com

SENIOR COUNSEL  
MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

OF COUNSEL  
SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
jmuscato@youngsommer.com

May 15, 2017

## **VIA REGULAR MAIL and ELECTRONIC FILING**

Hon. Kathleen H. Burgess  
Secretary to the Commission  
New York State Public Service Commission  
Agency Building 3  
Albany, NY 12223

*Re: Case No. 16-F-0267: Application of Atlantic Wind LLC, for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Major Electric Generating Facility in the Towns of Pinckney, Harrisburg and Montague, County of Lewis, and Town of Rodman, County of Jefferson, New York*

Dear Secretary Burgess:

Atlantic Wind LLC ("Atlantic Wind"), is proposing to construct a major electric generating facility in the Towns of Pinckney, Harrisburg and Montague, Lewis County, and the Town of Rodman in Jefferson County, New York (referred to as the "Deer River Wind Farm" or the "Facility"). To construct and operate the Facility, Atlantic Wind is seeking a Certificate of Environmental Compatibility and Public Need ("Certificate") from the New York State Board on Electric Generation Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law ("PSL") and the Siting Board's rules (16 NYCRR Part 1000).

Pursuant to PSL §163 and §1000.5 of the Siting Board's rules (16 NYCRR §1000.5), Atlantic Wind hereby files its Preliminary Scoping Statement ("PSS"). Please find enclosed ten paper copies of the PSS. The check representing the required filing fee for pre-application intervenor funding as required by PSL §163(4) is being provided under separate cover.

The PSS follows the statutory requirements of Article 10 (PSL §163(1)) and the Siting Board's rules (16 NYCRR §1000.5(l)). The PSS contains, *inter alia*, a description of the proposed Facility and the studies or program of studies designed to evaluate potentially significant adverse environmental and health impacts. The results of the studies will be included in its Application for an Article 10 certificate.

Pursuant to Article 10 (PSL §163(2)) and Section 1000.5 of the Siting Board's rules, copies of the PSS have been served on the parties identified in 16 NYCRR §1000.5(c). (See, Affidavit of Service attached as Attachment 1 in compliance with 16 NYCRR §1000.5(f)(a)).

Pursuant to Section 1000.5(d), notice of the PSS was published in the newspapers identified in the Public Involvement Program Plan (PIP): the *Watertown Daily Times* (May 10, 2017) and the *Journal and Republican* (May 10, 2017), and on the Project website (<http://www.avangridrenewables.us/deerriver/>). An affidavit of publication in compliance with 1000.5(f)(c) from the *Watertown Daily Times* and *Journal and Republican* will be filed when it is received from the newspaper. A copy of the notice is attached hereto as Attachment 2. Please note, this is for representative purposes and is not a proof of how it was published.

In keeping with the Atlantic Wind's PIP, informational postcards providing informal notice of the PSS filing were sent by mail to individuals residing within the Project Area, host and adjacent landowners, stakeholders listed in the PIP, and those who attended the project's Open House session in March 2017. The postcards were mailed May 10, 2017, and a copy of the postcard is provided here as Attachment 3.

Pursuant to Section 1000.5(e), at least three days' advance notice of the filing of the PSS was served on each member of the State Legislature in whose district the Facility is proposed to be located. A copy of the letter is attached hereto as Attachment 4.

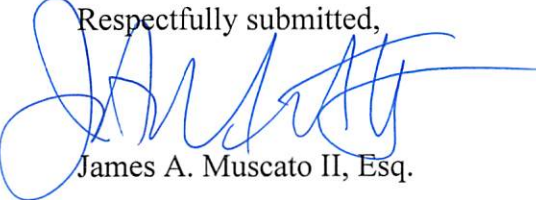
Pursuant to Section 1000.5(e)(3), on May 10, 2017, our office sent an electronic mail correspondence to the party list maintained by the Secretary on the Facility's Document and Matter Management website, a copy of which is attached hereto as Attachment 5 in compliance with 1000.5(f)(b).

Pursuant to 1000.5(g), any person, agency or municipality may submit comments on the PSS within 21 days (or by June 5, 2017) by filing a copy with the Secretary and serving the Applicant at the following address:

Jenny L. Briot  
Two Radnor Corp. Center, Suite 200  
100 Matsonford Road  
Radnor, PA 19087  
[DeerRiverWind@avangrid.com](mailto:DeerRiverWind@avangrid.com)

Atlantic Wind looks forward to working with the interested parties and stakeholders during the pre-application phase of this process on the scope and content of the Application.

Please do not hesitate to call me with any questions.

Respectfully submitted,  
  
James A. Muscato II, Esq.

cc: Service List

Attachment 1: Affidavit of Service for 1000.5(f)(a)- Copies of the PSS

Attachment 2: Copy of Notice of Filing PSS

Attachment 3: Copy of Postcard

Attachment 4: Copy of letters to Legislatures for 1000.5(f)(b)

Attachment 5: Affidavit of Service for 1000.5(f)(b) - Advance Notice of PSS Filing to Party List

# Attachment 1



NEW YORK STATE PUBLIC SERVICE COMMISSION

---

**Application of Atlantic Wind LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for the Deer River Wind Farm Project in the Towns of Pinckney, Harrisburg, and Montague in Lewis County, with electronical transmission interconnection proposed in the Town of Rodman in Jefferson County.**

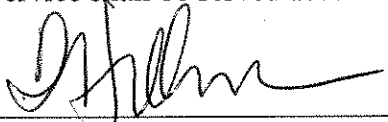
---

**AFFIDAVIT OF SERVICE**

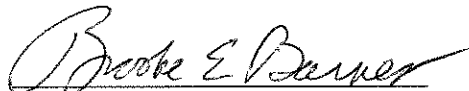
**Case No. 16-F-0267**

STATE OF MAINE                    )  
COUNTY OF SAGadahoc) ss.:

Tracy Hillman, being duly sworn, deposes and says that on the 15<sup>th</sup> day of May, in the year 2017, she served a copy of Atlantic Wind's Preliminary Scoping Statement for the Deer River Wind Farm, with exhibits and appendices thereto, by mailing a true hard copy and/or digital copy, or copies, thereof via FEDEX Ground, upon the recipients identified in the attached list. Those persons included on the DPS Party List who have consented to Party Electronic Service shall be served accordingly.

  
\_\_\_\_\_  
Tracy Hillman

Sworn to me before me  
this 15<sup>th</sup> day of May, 2017

  
\_\_\_\_\_  
Brooke E. Barnes  
Maine Bar #3347  
Notary Public

**Deer River Wind Farm Project in Lewis and Jefferson Counties. (Case 16-F-0267)**  
**Preliminary Scoping Statement Service List**

NAME & ADDRESS	NUMBER OF COPIES
<b>Secretary to the Commission  Hon. Kathleen H. Burgess  Secretary to the Commission  New York State Public Service Commission  Empire State Plaza  Agency Building 3  Albany, NY 12223-1350  Email: <a href="mailto:secretary@dps.ny.gov">secretary@dps.ny.gov</a></b>	<b>1 electronic  10 paper copies</b>
<b>Basil Seggos, Acting Commissioner  NYS Department of Environmental  Conservation  ATTN: Stephen Tomasik  625 Broadway  Albany, NY 12233</b>	<b>4 paper copies</b>
<b>Judy Drabicki, Regional Director  NYS Department of Environmental  Conservation  Region 6  317 Washington St.  Watertown, NY 13601</b>	<b>3 paper copies</b>
<b>Howard A. Zucker, Commissioner  NYS Department of Health  Empire State Plaza – Corning Tower  Albany, NY 12237</b>	<b>2 paper copies</b>
<b>Richard Kauffman, Chair  NYSERDA  17 Columbia Circle  Albany, NY 12203</b>	<b>2 paper copies</b>
<b>Howard Zemsky, Commissioner  NYS Department of Economic Development  625 Broadway  Albany, NY 12245</b>	<b>2 paper copies</b>
<b>Stephen Bernat, Town Supervisor  Town of Montague  3620 O'Brien Rd  Lowville, NY 13367</b>	<b>1 paper copy</b>

<b>Kurt Riordan, Town Supervisor Town of Montague 7270 McDonald Rd Copenhagen, NY 13626</b>	<b>1 paper copy</b>
<b>Sherry Harmych, Town Supervisor Town of Pinckney 587 County Route 194 Copenhagen, NY 13626</b>	<b>1 paper copy</b>
<b>Gary Stinson, Town Supervisor Town of Rodman 12509 School Street Rodman, NY 13682</b>	<b>1 paper copy</b>
<b>Liz Swearingin Lewis County County Executive Lewis County Court House Lowville, NY 13367</b>	<b>1 paper copy</b>
<b>Robert F. Hagemann, III Jefferson County Administrator 175 Arsenal Street Watertown, NY 13601</b>	<b>1 paper copy</b>
<b>Richard Ball, Commissioner NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235</b>	<b>1 paper copy</b>
<b>Rossana Rosado, Acting Secretary of State NYS Department of State 99 Washington Avenue Suite 640 Albany, NY 12231</b>	<b>1 paper copy</b>
<b>Eric T. Schneiderman Office of the Attorney General The Capitol Albany, NY 12224-0341</b>	<b>1 paper copy</b>
<b>Matthew Driscoll, Commissioner NYS Department of Transportation 50 Wolf Road Albany, NY 12232</b>	<b>1 paper copy</b>

<b>Rose Harvey, Commissioner</b> <b>NYS Office of Parks, Recreation, and Historic</b> <b>Preservation</b> <b>625 Broadway</b> <b>Albany, NY 12207</b>	<b>1 paper copy</b>
<b>James Denn, Public Information Officer</b> <b>New York State Public Service Commission</b> <b>Email: <a href="mailto:web.questions@dps.ny.gov">web.questions@dps.ny.gov</a></b>	<b>1 electronic</b>
<b>Richard Thomas – <a href="mailto:richard.thomas1@health.ny.gov">richard.thomas1@health.ny.gov</a></b>	<b>1 electronic</b>
<b>Jonathan Binder – <a href="mailto:jonathan.bonder@dec.ny.gov">jonathan.bonder@dec.ny.gov</a></b>	<b>1 electronic</b>
<b>Local Document Repositories</b>	
<b>PINCKNEY TOWN HALL</b> <b>587 County Route 194</b> <b>Copenhagen, NY 13626</b>	<b>1 paper copy</b>
<b>LOWVILLE FREE LIBRARY</b> <b>5387 Dayan Street</b> <b>Lowville, NY 13367</b>	<b>1 paper copy</b>
<b>RODMAN PUBLIC LIBRARY</b> <b>12509 School Street PO Box B</b> <b>Rodman NY 13682</b>	<b>1 paper copy</b>



# Attachment 2

# NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Atlantic Wind LLC (Applicant), a subsidiary of Avangrid Renewables, LLC (AR), is proposing to submit an Application to construct the Deer River Wind Farm (Facility), a wind-powered major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about May 15, 2017 the Applicant will file a Preliminary Scoping Statement (PSS), pursuant to 16 NYCRR 1000.5, which is designed to gather input from the public and interested participants on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. **The filing will start a 21-day public comment period on the PSS scope and methodology of the studies proposed.**

The Facility is currently proposed to be an up to 100 megawatt (MW) wind-powered electric generating facility. The Facility components are proposed to include the installation and operation of up to 40 wind turbines in the Towns of Pinckney, Harrisburg and Montague, together with the associated collection lines (below grade and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation adjacent to a National Grid interconnection switching station which will interconnect with National Grid's Lighthouse Hill to Black River 115 kV transmission line in the Town of Rodman. The Facility is proposed to be located on leased private land that is generally rural in nature. The actual footprint of the proposed facilities will be located within the leased land, and will enable farmers and landowners to continue with farming operations or other land uses such as forestry practices.

The Facility 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 Facility assists the State in meeting the goals of the 2015 State Energy Plan and the goals supporting the Clean Energy Standard which seek to reach 50 percent of energy generation from renewable resources by 2030, and other State policy initiatives consistent with the development of the Facility. Other positive impacts to be discussed in the PSS 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.

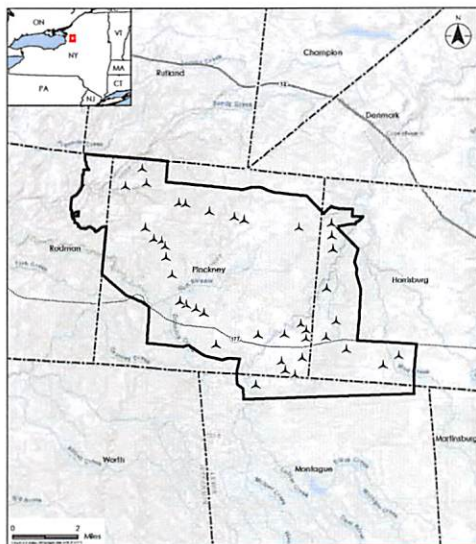
The PSS describes and identifies: the environmental setting in the Facility area, potential environmental and health impacts from construction and operation of the Facility, proposed benefits of the Facility, proposed studies (including preconstruction studies and post-construction monitoring for potential impacts to avian and bat species), proposed measures to minimize environmental impacts, reasonable alternatives, other required permits/authorizations, and other relevant information to be evaluated and included in the Application. The PSS also provides a preliminary scope of an environmental impact analysis containing a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Facility, including potential impacts to, land use in the Facility area; public health and safety; terrestrial ecology, including avian and bat species, and wetlands; water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual, including potential for shadow flicker; sound; electromagnetic fields; and impacts on the statewide electrical system.

Within 21 days after the filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner designated by the DPS. Notice will be provided from the Hearing Examiner for scheduling the participants scoping and intervenor funding conference and dates for filing intervenor funding applications.

No less than 90 days after the filing of the PSS, the Applicant may submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Facility, an evaluation of environmental and health impacts, a summary of public involvement activities, an evaluation of reasonable and available alternative locations, if any, a statement of why any local substantive standards should not be applied, if any, an electric interconnection study including general design study and SRS, security and emergency plans, statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board or otherwise not applicable.

Once an Application is filed and determined by the Siting Board to be compliant with the requirements in PSL §164, the Hearing Examiner will schedule a public hearing on the Application. The Hearing Examiner 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 the filing of the PSS, the Applicant will provide funding in the amount of \$35,000.00, as required by Article 10, to be disbursed by the Hearing Examiner to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the pre-application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Additional intervenor funds will be available for the Application/Hearing Phases. Following the filing of the PSS, the Hearing Examiner or the Secretary shall issue a notice of availability of pre-application intervenor funds providing a schedule and related information describing how interested members of the public may apply for pre-application funds. Requests for pre-application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of pre-application intervenor funds. A pre-application meeting to consider funding requests will be convened within no less than 45 but no more than 60 days after the filing of the PSS.



## Legend

- Wind Turbine
- Project Area
- Town Boundary

## TO OBTAIN INFORMATION REGARDING THE PROJECT, PLEASE CONTACT:

### Contact Information for Applicant:

Jenny L. Briot  
Two Radnor Corp. Center, Suite 200  
100 Matsonford Road  
Radnor, PA 19067  
Phone: 610-254-9800  
Fax: 484-654-1069  
Email: [DeerRiverWind@avangrid.com](mailto:DeerRiverWind@avangrid.com)

### Contact Information for DPS Article 10 Coordinator:

James Denn  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350  
Phone: 518-474-7080  
Email: [James.denn@dps.ny.gov](mailto:James.denn@dps.ny.gov)

Information is also available at the public document repositories and on the web. The DPS website is (<http://www.dps.ny.gov/>). To access documents, go to "Search" at the top of the webpage, then search using the Case Number 16-F-0267 or the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=16-F-0267>) or by going to the Project-specific website maintained by the Applicant: <http://www.avangridrenewables.us/deerriver/>.

## 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](mailto:secretary@dps.ny.gov) or sent by mail to the following address:

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



# Attachment 3

# DEER RIVER WIND FARM

Notice of submission of Preliminary Scoping  
Statement and public comment period.

[avangridrenewables.us/deerriver](http://avangridrenewables.us/deerriver)

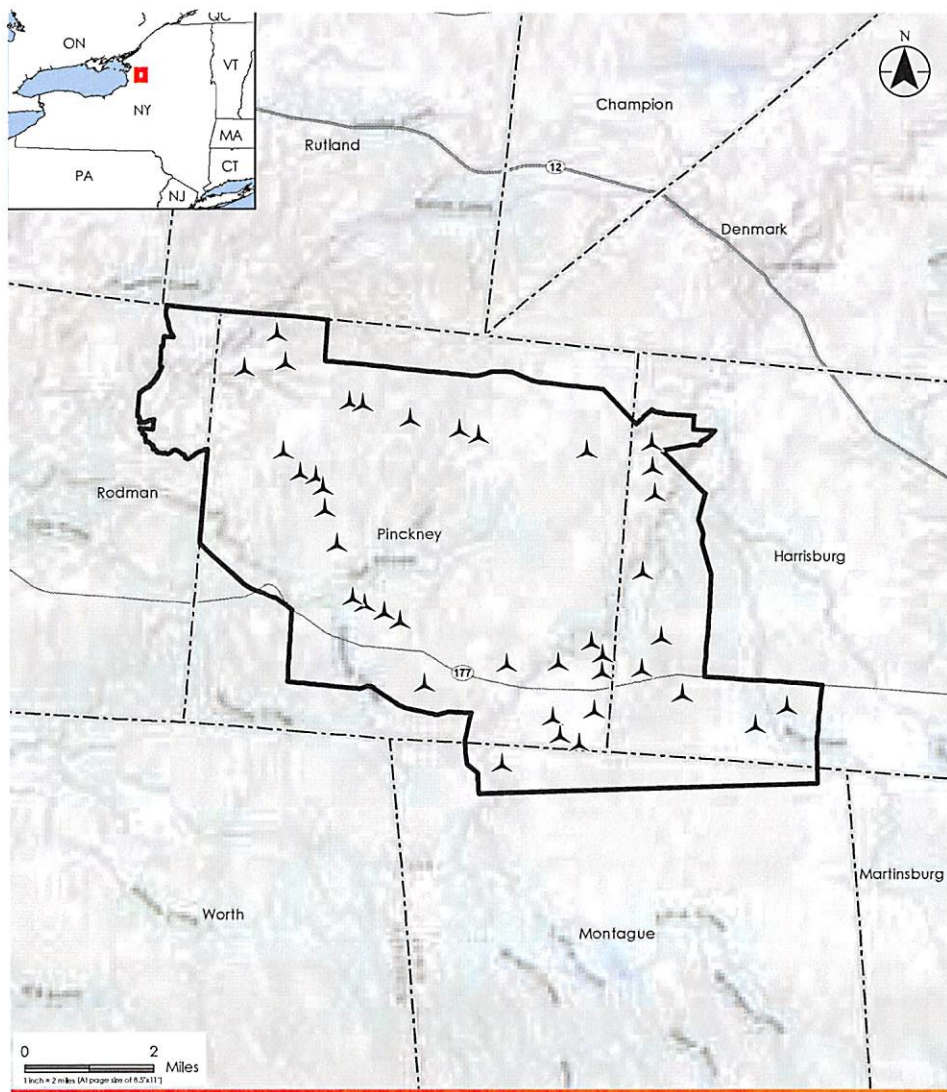


Deer River Wind Farm  
7650 North State Street, Suite 1  
Lowville, New York 13367

FPO










# NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Avangrid Renewables is proposing to submit an application to construct the Deer River Wind Farm, a wind-powered major electric generating facility under Article 10 of the Public Service Law.

This notice announces that on or about **May 15, 2017** Avangrid Renewables will file a Preliminary Scoping Statement (PSS), which is designed to gather input from the public and interested participants on the scope and methodology of studies to be conducted. The filing will start a 21-day public comment period on the PSS scope and methodology of the studies proposed.

Visit [avangridrenewables.us/deerriver](http://avangridrenewables.us/deerriver) to view the full notice and for more information on the proposed Deer River Wind Farm.

## Legend

-  Wind Turbine
-  Project Area
-  Town Boundary



# Attachment 4

NEW YORK STATE PUBLIC SERVICE COMMISSION

---

**Application of Atlantic Wind LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for the Deer River Wind Farm Project in the Towns of Pinckney, Harrisburg, and Montague in Lewis County, with electronical transmission interconnection proposed in the Town of Rodman in Jefferson County.**

---

**AFFIDAVIT OF SERVICE**

**Case No. 16-F-0267**

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

**KAYLEIGH J. ROBINSON**, being duly sworn deposes and says that deponent is over the age of 18 years and is not a party in this proceeding. On May 11, 2017 deponent served the within Notice of Submission of Preliminary Scoping Statement regarding the Deer River Wind Farm upon the following, by depositing a true and correct copy of the same, properly enclosed in a post-paid wrapper in the Official Depository maintained and exclusively controlled by the United States Post Office at Albany, New York:

Stephen Bernat, Town Supervisor  
Town of Montague  
3620 O'Brien Road  
Lowville, NY 13367

Kurt Riordan, Town Supervisor  
Town of Montague  
7270 McDonald Road  
Copenhagen, NY 13626

Sherry Harmych, Town Supervisor  
Town of Pinckney  
587 County Route 194  
Copenhagen, NY 13626

Gary Stinson, Town Supervisor  
Town of Rodman  
12509 School Street  
Rodman, NY 13682

NYS Senator Joseph Griffo  
NYS Senate District: 47  
Albany Office  
188 State Street, Rm. 612  
Legislative Office Building  
Albany, NY 12247

NYS Assemblyman Ken Blankenbush  
NYS Assembly District: 117  
Albany Office  
Legislative Office Building, Rm. 332  
Albany, NY 12247

NYS Assemblyman William Barclay  
NYS Assembly District: 120  
Albany Office  
Legislative Office Building, Rm. 521  
Albany, NY 12247

NYS Senator Patricia Ritchie  
NYS Senate District: 48  
Albany Office  
Legislative Office Building, Rm. 412  
Albany, NY 12247

Sworn to before me this  
11<sup>th</sup> day of May, 2017

  
NOTARY PUBLIC

**Angeline L. Riccardi**  
Notary Public, State of New York  
Qualified in Erie County  
Certificate Filed in Schenectady County  
My Commission Expires 09/26/ 18

  
KAYLEIGH J. ROBINSON



My Commission Expires 08/26/2011  
Certificate Filed in Schenectady County  
Qualified in Erie County  
Notary Public, State of New York  
Angeline L. Riccardi

# Deer River Wind Farm

## Lewis and Jefferson Counties, New York

---

### NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Atlantic Wind LLC (Applicant), a subsidiary of Avangrid Renewables, LLC (AR), is proposing to submit an Application to construct the Deer River Wind Farm (Facility), a wind-powered major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about May 15, 2017, the Applicant will file a Preliminary Scoping Statement (PSS), pursuant to 16 NYCRR 1000.5, which is designed to gather input from the public and interested participants on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. **The filing will start a 21-day public comment period on the PSS scope and methodology of the studies proposed.**

The Facility is currently proposed to be an up to 100 megawatt (MW) wind-powered electric generating facility. The Facility components are proposed to include the installation and operation of up to 40 wind turbines in the Towns of Pinckney, Harrisburg and Montague, together with the associated collection lines (below grade and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation adjacent to a National Grid interconnection switching station which will interconnect with National Grid's Lighthouse Hill to Black River 115 kV transmission line in the Town of Rodman. The Facility is proposed to be located on leased private land that is generally rural in nature. The actual footprint of the proposed facilities will be located within the leased land, and will enable farmers and landowners to continue with farming operations or other land uses such as forestry practices.

The Facility 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 Facility assists the State in meeting the goals of the 2015 State Energy Plan and the goals supporting the Clean Energy Standard which seek to reach 50 percent of energy generation from renewable resources by 2030, and other State policy initiatives consistent with the development of the Facility. Other positive impacts to be discussed in the PSS 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 PSS describes and identifies: the environmental setting in the Facility area; potential environmental and health impacts from construction and operation of the Facility; proposed benefits of the Facility; proposed studies (including preconstruction studies and post-construction monitoring for potential impacts to avian and bat species); proposed measures to minimize environmental impacts; reasonable alternatives; other required permits/authorizations; and other relevant information to be evaluated and included in the Application. The PSS also provides a preliminary scope of an environmental impact analysis containing a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Facility, including potential impacts to: land use in the Facility area; public health and safety; terrestrial ecology, including avian and bat species; wetlands, water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual/aesthetic resources, including potential for shadow flicker; sound; electromagnetic fields; and impacts on the statewide electrical system.

Within 21 days after the filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner designated by the DPS. Notice will be provided from the Hearing Examiner for scheduling the participants scoping and intervenor funding conference and dates for filing intervenor funding applications.

No less than 90 days after the filing of the PSS, the Applicant may submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Facility, an evaluation of



environmental and health impacts, a summary of public involvement activities, an evaluation of reasonable and available alternative locations, if any, a statement of why any local substantive standards should not be applied, if any, an electric interconnection study including general design study and SRIS, security and emergency plans, statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board or otherwise not applicable.

Once an Application is filed and determined by the Siting Board to be compliant with the requirements in PSL §164, the Hearing Examiner will schedule a public hearing on the Application. The Hearing Examiner 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 the filing of the PSS, the Applicant will provide funding in the amount of \$35,000.00, as required by Article 10, to be disbursed by the Hearing Examiner to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the pre-application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Additional intervenor funds will be available for the Application/Hearing Phases. Following the filing of the PSS, the Hearing Examiner or the Secretary shall issue a notice of availability of pre-application intervenor funds providing a schedule and related information describing how interested members of the public may apply for pre-application funds. Requests for pre-application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of pre-application intervenor funds. A pre-application meeting to consider funding requests will be convened within no less than 45 but no more than 60 days after the filing of the PSS.

To obtain information regarding the Project, please contact:

Contact information for Applicant:

Jenny L. Briot  
Two Radnor Corp. Center, Suite 200  
100 Matsonford Road  
Radnor, PA 19087  
Phone: 610-254-9800; Fax: 484-654-1069  
Email: [DeerRiverWind@avangrid.com](mailto:DeerRiverWind@avangrid.com)

Contact information for DPS Article 10 Coordinator:

James Denn  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350  
Phone: 518-474-7080  
Email: [james.denn@dps.ny.gov](mailto:james.denn@dps.ny.gov)

Information is also available at the public document repositories and on the web. The DPS website is (<http://www.dps.ny.gov/>). To access documents, go to "Search" at the top of the webpage, then search using the Case Number 16-F-0267 or the direct link:

(<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=16-F-0267>)

or by going to the Project-specific website maintained by the Applicant: <http://www.avangridrenewables.us/deerriver/>.

**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](mailto:secretary@dps.ny.gov) or sent by mail to the following address:

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

# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

## COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

## SENIOR COUNSEL

MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

## OF COUNSEL

SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

## PARALEGALS

ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

NYS Senator Patricia Ritchie  
NYS Senate District: 48  
Albany Office  
Legislative Office Building, Room 412  
Albany, NY 12247

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for the Deer River Wind Farm, Case No. 16-F-0267***

Dear Senator Ritchie:

As you are probably aware, Atlantic Wind LLC (Applicant), a subsidiary of Avangrid Renewables, LLC (AR), proposes to construct a major electric generating facility in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

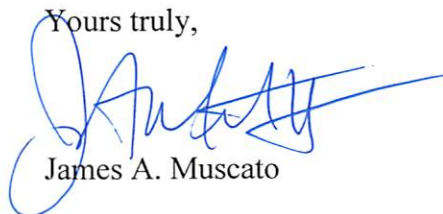
The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). The Siting Board's rules further require that the Applicant provide three (3) days' notice of filing of the PSS to "each member of the state legislature in whose district any portion of [a project] is proposed to be located in which any alternative location identified is located, or in which any interconnections or related facilities necessary to serve the proposed facility are proposed to be



located.” (16 NYCRR §1005(e)). The Applicant is providing the same notice to the Supervisors for the Towns of Pinckney, Harrisburg, Montague and Rodman.

Thus, please be advised of the attached Public Notice regarding the filing of the Preliminary Scoping Statement for the Deer River Wind Farm, which will be filed on or about May 15, 2017. Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,

A handwritten signature in blue ink, appearing to read "James A. Muscato", with a long horizontal flourish extending to the right.

James A. Muscato

Enclosure

# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

## COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205  
Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

SENIOR COUNSEL  
MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

OF COUNSEL  
SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

NYS Senator Joseph Griffo  
NYS Senate District: 47  
Albany Office  
188 State Street Room 612  
Legislative Office Building  
Albany, NY 12247

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for the Deer River Wind Farm, Case No. 16-F-0267***

Dear Senator Griffo:

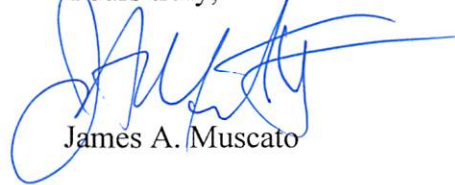
As you are probably aware, Atlantic Wind LLC (Applicant), a subsidiary of Avangrid Renewables, LLC (AR), proposes to construct a major electric generating facility in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). The Siting Board's rules further require that the Applicant provide three (3) days' notice of filing of the PSS to "each member of the state legislature in whose district any portion of [a project] is proposed to be located in which any alternative location identified is located, or in which any interconnections or related facilities necessary to serve the proposed facility are proposed to be

located.” (16 NYCRR §1005(e)). The Applicant is providing the same notice to the Supervisors for the Towns of Pinckney, Harrisburg, Montague and Rodman.

Thus, please be advised of the attached Public Notice regarding the filing of the Preliminary Scoping Statement for the Deer River Wind Farm, which will be filed on or about May 15, 2017. Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,

A handwritten signature in blue ink, appearing to read 'J. Muscato', with a long horizontal flourish extending to the right.

James A. Muscato

Enclosure

# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205  
Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

SENIOR COUNSEL  
MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

OF COUNSEL  
SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

NYS Assemblyman Ken Blankenbush  
NYS Assembly District: 117  
Albany Office  
Legislative Office Building, Room 322  
Albany, NY 12247

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for the Deer River Wind Farm, Case No. 16-F-0267***

Dear Assemblyman Blankenbush:

As you are probably aware, Atlantic Wind LLC (Applicant), a subsidiary of Avangrid Renewables, LLC (AR), proposes to construct a major electric generating facility in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). The Siting Board's rules further require that the Applicant provide three (3) days' notice of filing of the PSS to "each member of the state legislature in whose district any portion of [a project] is proposed to be located in which any alternative location identified is located, or in which any interconnections or related facilities necessary to serve the proposed facility are proposed to be

located.” (16 NYCRR §1005(e)). The Applicant is providing the same notice to the Supervisors for the Towns of Pinckney, Harrisburg, Montague and Rodman.

Thus, please be advised of the attached Public Notice regarding the filing of the Preliminary Scoping Statement for the Deer River Wind Farm, which will be filed on or about May 15, 2017. Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,

A handwritten signature in blue ink, appearing to read "J. Muscato", with a long horizontal flourish extending to the right.

James A. Muscato

Enclosure



# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

## COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205  
Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

SENIOR COUNSEL  
MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

OF COUNSEL  
SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

NYS Assemblyman William Barclay  
NYS Assembly District: 120  
Albany Office  
Legislative Office Building, Room 521  
Albany, NY 12247

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for the Deer River Wind Farm, Case No. 16-F-0267***

Dear Assemblyman Barclay:

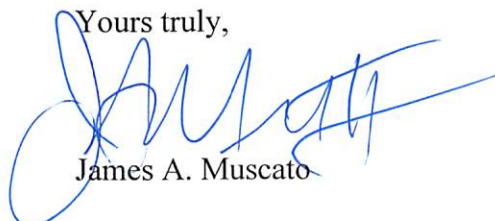
As you are probably aware, Atlantic Wind LLC (Applicant), a subsidiary of Avangrid Renewables, LLC (AR), proposes to construct a major electric generating facility in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). The Siting Board's rules further require that the Applicant provide three (3) days' notice of filing of the PSS to "each member of the state legislature in whose district any portion of [a project] is proposed to be located in which any alternative location identified is located, or in which any interconnections or related facilities necessary to serve the proposed facility are proposed to be

located.” (16 NYCRR §1005(e)). The Applicant is providing the same notice to the Supervisors for the Towns of Pinckney, Harrisburg, Montague and Rodman.

Thus, please be advised of the attached Public Notice regarding the filing of the Preliminary Scoping Statement for the Deer River Wind Farm, which will be filed on or about May 15, 2017. Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,

A handwritten signature in blue ink, appearing to read 'J. Muscato', with a large, stylized initial 'J' and a long horizontal flourish extending to the right.

James A. Muscato

Enclosure

# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

## COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205  
Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

SENIOR COUNSEL  
MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

OF COUNSEL  
SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

Gary Stinson, Town Supervisor  
Town of Rodman  
12509 School Street  
Rodman, NY 13682

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for Deer River Wind Farm,  
Case No. 16-F-0267***

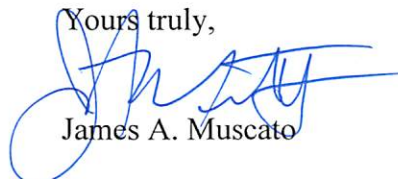
Dear Supervisor Stinson:

As you are aware, Atlantic Wind LLC ("the Applicant"), is proposing to construct the Deer River Wind Farm, in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). As a courtesy we are providing you notice that the Preliminary Scoping Statement will be filed on or about May 15, 2017. The filing of the PSS will commence a 21-day public comment period. We are providing notice to you in advance so that you are aware of the upcoming filing and the public comment period. Attached is a Notice that has been published in the newspapers in the project area.

Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,



James A. Muscato

Enclosure



# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

SENIOR COUNSEL  
MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

OF COUNSEL  
SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

Stephen Bernat, Town Supervisor  
Town of Montague  
3620 O'Brien Rd  
Lowville, NY 13367

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for Deer River Wind Farm,  
Case No. 16-F-0267***

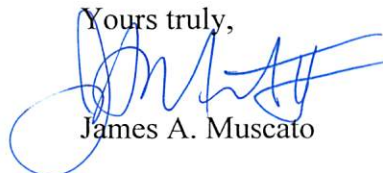
Dear Supervisor Bernat:

As you are aware, Atlantic Wind LLC ("the Applicant"), is proposing to construct the Deer River Wind Farm, in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). As a courtesy we are providing you notice that the Preliminary Scoping Statement will be filed on or about May 15, 2017. The filing of the PSS will commence a 21-day public comment period. We are providing notice to you in advance so that you are aware of the upcoming filing and the public comment period. Attached is a Notice that has been published in the newspapers in the project area.

Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,



James A. Muscato

Enclosure

# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

## COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

## SENIOR COUNSEL

MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

## OF COUNSEL

SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

## PARALEGALS

ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

Sherry Harmych, Town Supervisor  
Town of Pinckney  
587 County Route 194  
Copenhagen, NY 13626

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for Deer River Wind Farm,  
Case No. 16-F-0267***

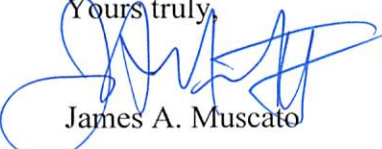
Dear Supervisor Harmych:

As you are aware, Atlantic Wind LLC ("the Applicant"), is proposing to construct the Deer River Wind Farm, in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). As a courtesy we are providing you notice that the Preliminary Scoping Statement will be filed on or about May 15, 2017. The filing of the PSS will commence a 21-day public comment period. We are providing notice to you in advance so that you are aware of the upcoming filing and the public comment period. Attached is a Notice that has been published in the newspapers in the project area.

Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,



James A. Muscato

Enclosure

# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
KRISTIN LAVIOLETTE PRATT  
JESSICA R. VIGARS

## COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205  
Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

SENIOR COUNSEL  
MICHAEL J. MOORE  
KENNETH S. RITZENBERG  
DOUGLAS H. WARD

OF COUNSEL  
SUE H.R. ADLER  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE

PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 243  
[jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

May 11, 2017

Kurt Riordan, Town Supervisor  
Town of Montague  
7270 McDonald Rd  
Copenhagen, NY 13626

***Re: Notice of Atlantic Wind LLC's Preliminary Scoping Statement for Deer River Wind Farm,  
Case No. 16-F-0267***

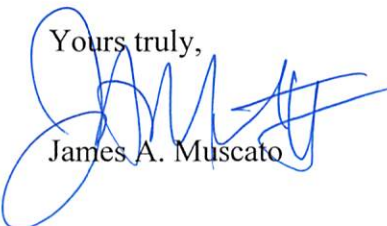
Dear Supervisor Riordan:

As you are aware, Atlantic Wind LLC ("the Applicant"), is proposing to construct the Deer River Wind Farm, in the Towns of Pinckney, Harrisburg, Montague and Rodman, New York. To construct the facility, the Applicant is seeking a Certificate of Environmental Compatibility and Public Need ("CECPN") from the New York State Board on Electric Generating Siting and the Environment ("Siting Board") pursuant to Article 10 of the Public Service Law and the Siting Board's rules (16 NYCRR Part 1000).

The Siting Board's rules require that, at least ninety (90) days before filing its application for a CECPN, the Applicant file a Preliminary Scoping Statement ("PSS"). As a courtesy we are providing you notice that the Preliminary Scoping Statement will be filed on or about May 15, 2017. The filing of the PSS will commence a 21-day public comment period. We are providing notice to you in advance so that you are aware of the upcoming filing and the public comment period. Attached is a Notice that has been published in the newspapers in the project area.

Please do not hesitate to reach out to me if you have any questions regarding the Project.

Yours truly,



James A. Muscato

Enclosure

# Attachment 5



NEW YORK STATE PUBLIC SERVICE COMMISSION

---

**Application of Atlantic Wind LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for the Deer River Wind Farm Project in the Towns of Pinckney, Harrisburg, and Montague in Lewis County, with electronical transmission interconnection proposed in the Town of Rodman in Jefferson County.**

---

**AFFIDAVIT OF SERVICE**

**Case No. 16-F-0267**

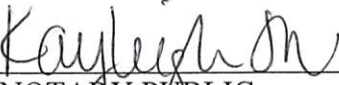
STATE OF NEW YORK     )  
COUNTY OF ALBANY    ) ss.:

**LAURA K. BOMYEA**, being duly sworn deposes and says that deponent is over the age of 18 years and is not a party in this proceeding. On May 10, 2017 deponent served the within Notice of Submission of Preliminary Scoping Statement regarding the Deer River Wind Farm via email upon the following parties:

- Jonathan Binder – [Jonathan.Binder@dec.ny.gov](mailto:Jonathan.Binder@dec.ny.gov)
- Richard Thomas – [richard.thomas1@health.ny.gov](mailto:richard.thomas1@health.ny.gov)
- James Muscato – [jmuscato@youngsommer.com](mailto:jmuscato@youngsommer.com)

Sworn to before me this  
10<sup>th</sup> day of May, 2017

  
\_\_\_\_\_  
**LAURA K. BOMYEA**

  
\_\_\_\_\_  
NOTARY PUBLIC

**KAYLEIGH J. ROBINSON**  
**Notary Public, State of New York**  
**No. 01CR6166964**  
**Qualified in Schoharie County**  
**Commission Expires May 29, 2019**



KAYLEIGH J. ROBINSON  
Notary Public, State of New York  
No. 01CR618894  
Qualified in Schenectady County  
Commission Expires May 29, 2019

**Laura Bomyea**

---

**From:** Laura Bomyea  
**Sent:** Wednesday, May 10, 2017 5:07 PM  
**To:** 'jonathan.binder@dec.ny.gov'; 'richard.thomas1@health.ny.gov'; James Muscato  
**Cc:** Briot, Jenny; 'andrea.cerbin@dps.ny.gov'  
**Subject:** Notice of Preliminary Scoping Statement, Deer River Wind Farm  
**Attachments:** Deer-River-PSS-Notice-FINAL-1.pdf

Dear Parties,

Avangrid Renewables is proposing to submit an application to construct the Deer River Wind Farm, a wind-powered major electric generating facility under Article 10 of the Public Service Law. On or about May 15, 2017, Avangrid Renewables will file a Preliminary Scoping Statement (PSS), which is designed to gather input from the public and interested participants on the scope and methodology of studies to be conducted. The filing will start a 21-day public comment period on the PSS scope and methodology of the studies proposed.

A full notice regarding this filing is attached, and is being provided to you, a member of the Party List for the Siting Board Docket for this proceeding, pursuant to 16 NYCRR 1000.5(f)(b).

Thank you,

Laura K. Bomyea  
Associate Attorney  
Young / Sommer LLC  
ATTORNEYS AT LAW  
office: 518.438.9907 Ext. 249  
fax: 518.438.9914  
[lbomyea@youngsommer.com](mailto:lbomyea@youngsommer.com)  
Executive Woods, Five Palisades Drive, Albany, NY 12205  
[www.youngsommer.com](http://www.youngsommer.com)

*This e-mail is sent by a law firm and may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.*

# Deer River Wind Farm

## Lewis and Jefferson Counties, New York

---

### NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

Atlantic Wind LLC (Applicant), a subsidiary of Avangrid Renewables, LLC (AR), is proposing to submit an Application to construct the Deer River Wind Farm (Facility), a wind-powered major electric generating facility under Article 10 of the Public Service Law (Project). This notice announces that on or about May 15, 2017, the Applicant will file a Preliminary Scoping Statement (PSS), pursuant to 16 NYCRR 1000.5, which is designed to gather input from the public and interested participants on the scope and methodology of studies to be conducted in support of the Application which will be filed at a later date. **The filing will start a 21-day public comment period on the PSS scope and methodology of the studies proposed.**

The Facility is currently proposed to be an up to 100 megawatt (MW) wind-powered electric generating facility. The Facility components are proposed to include the installation and operation of up to 40 wind turbines in the Towns of Pinckney, Harrisburg and Montague, together with the associated collection lines (below grade and overhead), access roads, permanent meteorological towers, laydown areas and an operation and maintenance (O&M) building. To deliver electricity to the New York State power grid, the Applicant proposes to construct a collection substation adjacent to a National Grid interconnection switching station which will interconnect with National Grid's Lighthouse Hill to Black River 115 kV transmission line in the Town of Rodman. The Facility is proposed to be located on leased private land that is generally rural in nature. The actual footprint of the proposed facilities will be located within the leased land, and will enable farmers and landowners to continue with farming operations or other land uses such as forestry practices.

The Facility 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 Facility assists the State in meeting the goals of the 2015 State Energy Plan and the goals supporting the Clean Energy Standard which seek to reach 50 percent of energy generation from renewable resources by 2030, and other State policy initiatives consistent with the development of the Facility. Other positive impacts to be discussed in the PSS 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 PSS describes and identifies: the environmental setting in the Facility area; potential environmental and health impacts from construction and operation of the Facility; proposed benefits of the Facility; proposed studies (including preconstruction studies and post-construction monitoring for potential impacts to avian and bat species); proposed measures to minimize environmental impacts; reasonable alternatives; other required permits/authorizations; and other relevant information to be evaluated and included in the Application. The PSS also provides a preliminary scope of an environmental impact analysis containing a discussion of potentially significant adverse environmental and health impacts to be assessed relating to the construction and operation of the Facility, including potential impacts to: land use in the Facility area; public health and safety; terrestrial ecology, including avian and bat species; wetlands, water resources and aquatic ecology; communications, transportation and utilities; cultural, historical and recreational resources; visual/aesthetic resources, including potential for shadow flicker; sound; electromagnetic fields; and impacts on the statewide electrical system.

Within 21 days after the filing of the PSS, any person, agency or municipality may submit comments on the PSS by serving such comments on the Applicant and filing a copy with the Secretary of the Department of Public Service. The Applicant will prepare a summary of the material comments and its reply thereto within 21 days after the closing of the comment period. The scoping process is overseen and mediated by a Hearing Examiner designated by the DPS. Notice will be provided from the Hearing Examiner for scheduling the participants scoping and intervenor funding conference and dates for filing intervenor funding applications.

No less than 90 days after the filing of the PSS, the Applicant may submit an Article 10 Application. Building on the Scoping process and any stipulations agreed to by the parties, the Application will include the studies developed as part of the Scoping process in support of the Project. The Application will include a description of the Facility, an evaluation of



environmental and health impacts, a summary of public involvement activities, an evaluation of reasonable and available alternative locations, if any, a statement of why any local substantive standards should not be applied, if any, an electric interconnection study including general design study and SRIS, security and emergency plans, statement demonstrating compliance with the most recent State Energy Plan, and other information. The Application will also contain the information set forth in 16 NYCRR 1001, Exhibits 1-41 unless otherwise waived by the Siting Board or otherwise not applicable.

Once an Application is filed and determined by the Siting Board to be compliant with the requirements in PSL §164, the Hearing Examiner will schedule a public hearing on the Application. The Hearing Examiner 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 the filing of the PSS, the Applicant will provide funding in the amount of \$35,000.00, as required by Article 10, to be disbursed by the Hearing Examiner to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the pre-application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. Additional intervenor funds will be available for the Application/Hearing Phases. Following the filing of the PSS, the Hearing Examiner or the Secretary shall issue a notice of availability of pre-application intervenor funds providing a schedule and related information describing how interested members of the public may apply for pre-application funds. Requests for pre-application funds must be submitted to the Hearing Examiner within thirty (30) days after the issuance of the notice of the availability of pre-application intervenor funds. A pre-application meeting to consider funding requests will be convened within no less than 45 but no more than 60 days after the filing of the PSS.

To obtain information regarding the Project, please contact:

Contact information for Applicant:

Jenny L. Briot  
Two Radnor Corp. Center, Suite 200  
100 Matsonford Road  
Radnor, PA 19087  
Phone: 610-254-9800; Fax: 484-654-1069  
Email: [DeerRiverWind@avangrid.com](mailto:DeerRiverWind@avangrid.com)

Contact information for DPS Article 10 Coordinator:

James Denn  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350  
Phone: 518-474-7080  
Email: [james.denn@dps.ny.gov](mailto:james.denn@dps.ny.gov)

Information is also available at the public document repositories and on the web. The DPS website is (<http://www.dps.ny.gov/>). To access documents, go to "Search" at the top of the webpage, then search using the Case Number 16-F-0267 or the direct link:

(<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=16-F-0267>)

or by going to the Project-specific website maintained by the Applicant: <http://www.avangridrenewables.us/deerriver/>.

**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](mailto:secretary@dps.ny.gov) or sent by mail to the following address:

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