

**READ AND LANIADO, LLP**

ATTORNEYS AT LAW  
25 EAGLE STREET  
ALBANY, NEW YORK 12207-1901

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(518) 465-9313 MAIN  
(518) 465-9315 FAX  
www.readlaniado.com

KEVIN R. BROCKS  
DAVID B. JOHNSON  
SAM M. LANIADO  
KONSTANTIN PODOLNY

TYLER W. WOLCOTT

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HOWARD J. READ  
PATRICK A. SILER  
Of Counsel

**Via Electronic Delivery**

September 27, 2018

Hon. Kathleen H. Burgess, Secretary  
New York State Board on Electric Generation  
Siting and the Environment  
Three Empire State Plaza  
Albany, NY 12223

Re: Case 17-F-0599 - Application of East Point Energy Center, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility Located in the Town of Sharon, Schoharie County.

Dear Secretary Burgess:

East Point Energy Center, LLC (“East Point”), a subsidiary of NextEra Energy Resources, LLC, proposes to construct a 50-megawatt photovoltaic solar farm in the Town of Sharon, Schoharie County, New York (the “Facility”). Participating landowners have granted rights to develop the Facility on approximately 1,313 acres; however, the current preliminary design calls for using approximately 350 acres. East Point 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, *et seq.*).

Pursuant to PSL § 163 and 16 NYCRR § 1000.5, East Point hereby submits its Preliminary Scoping Statement (“PSS”). Enclosed are ten paper copies of the PSS. An electronic copy of the PSS will also be filed with the Secretary through the Department of Public

Service's online DMM system. In addition, East Point is simultaneously sending a check to the Department of Public Service for the pre-application intervenor funding as required by PSL § 163(4). Copies of the PSS are required to be served on the parties identified in 16 NYCRR § 1000.5(c). An Affidavit of Service in compliance with 16 NYCRR § 1000.5(f) is attached hereto as Attachment 1.

Pursuant to 16 NYCRR § 1000.5(d) and § 1000.7(a), notice of the PSS was published in the Cobleskill Times Journal on September 12, 2018 and the Mountain Eagle on September 14, 2018. The Cobleskill Times Journal is the newspaper designated for official notices for the Town of Sharon and is also the newspaper with the largest circulation in Schoharie County. Proofs of publication, in compliance with 16 NYCRR § 1000.5(f), together with copies of the notices that were published, are also attached hereto as Attachment 2. Service of the notice of the PSS as required by 16 NYCRR § 1000.5(g) was also completed and an Affidavit of Service is attached hereto as Attachment 3. Where requested, stakeholders were also notified via email; an Affidavit of Service for that service is attached hereto as Attachment 4.

Pursuant to 16 NYCRR § 1000.5(g), any person, agency, or municipality may submit comments on the PSS "[w]ithin 21 days after the filing of the" PSS, or by October 19, 2018, by filing a copy with the Secretary, serving the undersigned, and serving East Point at the following address:

Kris Scornavacca  
Project Director | Development  
NextEra Energy Resources, LLC  
700 Universe Blvd., FEW/JB  
Juno Beach, FL 33408  
[Kris.Scornavacca@nexteraenergy.com](mailto:Kris.Scornavacca@nexteraenergy.com)

Please contact me if you have any questions regarding this filing.

Respectfully submitted,

READ AND LANIADO, LLP

By:                     /s/                      
Sam M. Laniado  
Co-Counsel for East Point Energy Center, LLC

Attachments

- 1 – Affidavit of Service
2. Proofs of Publication
- 3 – Affidavit of Mailing
- 4 – Affidavit of Emailing

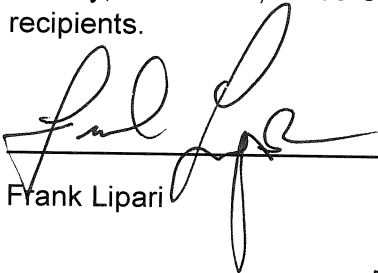
cc: William M. Flynn, |Esq.  
Harris Beach PLLC  
Co- Counsel for East Point Energy Center, LLC  
Graham Jesmer, Esq.  
Andrew Davis, DPS

Case Number 17-F-0599

*Application of East Point Energy Center, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Generating Facility Located in the Town of Sharon, Schoharie County.*

## AFFIDAVIT OF SERVICE

I, Frank Lipari of Plan & Print Systems, Inc, in Syracuse, New York, caused the document entitled Preliminary Scoping Statement for the East Point Energy Center, LLC proposed in Schoharie County, New York, to be served, on September 27, 2018, via FedEx to the attached list of recipients.

  
Frank Lipari

Sworn to me before this 27<sup>th</sup> day of September, 2018.

  
Notary Public

TARA L BLUNT  
NOTARY PUBLIC STATE OF NEW YORK  
ONONDAGA  
LIC. #01BL6352521  
COMM. EXP. 12/27/2020

## East Point Energy Center, LLC

### Service List

Name and Address	Number of Copies
Hon. Kathleen Burgess, Secretary New York State Board on Electric Generation Siting and the Environment Empire State Plaza Agency Building 3 Albany, NY 12223	10 paper copies and 1 electronic copy
Basil Seggios, Acting Commissioner NYS Department of Environmental Conservation 625 Broadway Albany, NY 12233	4 paper copies
Keith Goertz, Regional Direction NYS Department of Environmental Conservation, Region 4 1130 North Westcott Road Schenectady, NY 12306-2014	3 paper copies
Howard A. Zucker, Commissioner of Health NYS Department of Health Corning Tower Empire State Plaza Albany, NY 12237	2 paper copies
Richard L. Kaufmann, Board Chair NYS Energy Research and Development Authority 17 Columbia Circle Albany, NY 10017	2 paper copies
Howard Zemsky, President and CEO Empire State Development Corporation 633 Third Avenue – Floor 37 New York, NY 10017	2 paper copies
Sandra Manko, Supervisor Town of Sharon 129 Main Street Sharon, NY 13459	1 paper copy

Name and Address	Number of Copies
Richard Ball, Commissioner NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235	1 paper copy
Rossana Rosado, Secretary of State NYS Department of State One Commerce Plaza 99 Washington Avenue Albany, NY 12231-0001	1 paper copy
Barbara Underwood NYS Attorney General State Capital Building Albany, NY 12224	1 paper copy
Matthew Driscoll, Commissioner NYS Department of Transportation 50 Wolf Road Albany, NY 12232	1 paper copy
Rose Harvey, Commissioner NYS Office of Parks, Recreation & Historic Preservation Peebles Island State Park P.O. Box 189 Waterford, NY 12188-0189	1 paper copy
James Denn, Public Information Officer New York State Department of Public Service Empire State Plaza Agency Building 3 Albany, NY 12223	1 electronic copy
Graham Jesmer Assistant Counsel NYS Department of Public Service 3 Empire State Plaza Agency Building 3 Albany, NY 12223-1350	1 paper copy

Name and Address	Number of Copies
<p>Andrew Davis, Utility Supervisor Office of Energy Efficiency and the Environment NYS Department of Public Service 3 Empire State Plaza Albany, NY 12223-1350</p>	<p>1 paper copy and 1 electronic copy</p>
<p>Sharon Town Office 129 Main Street Sharon Springs, NY 13459</p>	<p>1 paper copy</p>
<p>Sharon Springs Free Library 129 Main Street Sharon Springs, NY 13459</p>	<p>1 paper copy</p>
<p>Michael Saviola, MPS Associate Environmental Analyst NYS Department of Agriculture and Markets 1530 Jefferson Road Rochester, NY 14623</p>	<p>1 electronic copy</p>
<p>Kathleen Close NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235</p>	<p>1 electronic copy</p>
<p>Tara Wells Senior Attorney NYS Department of Agriculture and Markets 10B Airline Drive Albany, NY 12235</p>	<p>1 electronic copy</p>
<p>Kristy Primeau Environmental Analyst NYS Department of Environmental Conservation 625 Broadway Albany, NY 12233</p>	<p>1 electronic copy</p>
<p>Lawrence Weintraub Assistant Counsel, Office of General Counsel NYS Department of Environmental Conservation 625 Broadway Albany, NY 12233-1500</p>	<p>1 electronic copy</p>

Name and Address	Number of Copies
Richard Thomas Assistant Counsel NYS Department Of Health Corning Tower, Empire State Plaza Albany, NY 12237	1 electronic copy
Sam Laniado Read and Laniado, LLP 25 Eagle Street Albany, NY 12207-1901	1 paper copy and 1 electronic copy
NextEra Energy Resources Attn: Kris Scornavacca 700 Universe Blvd., E5E/JB Juno Beach, FL 33408	1 paper copy and 1 electronic copy
NextEra Energy Resources Attn: William Boer 700 Universe Blvd., E5E/JB Juno Beach, FL 33408	1 electronic copy



STATE OF NEW YORK }

COUNTY OF Schoharie } SS.  
}

I, Ashley Stanton, duly swear that I am

employed with Times Journal,

a newspaper publication based in Cobleskill, New York,

as the Bookkeeper,

and further swear that the TRC Insertion

ran in Times Journal on the following date(s):

Date(s): September 12, 2018

Ashley Stanton  
(signature)

Sworn to before me on this 14 day of September, 2018.

Michelle A Davis  
Notary's signature

**MICHELLE A. DAVIS**  
Notary Public, State of New York  
No. 01DA6017080  
Qualified in Schoharie County  
Commission Expires December 7, 2018

East Point Energy Center, LLC

# 50-Megawatt Solar Project

Schoharie County, New York

## NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT

East Point Energy Center, LLC (East Point) is seeking authority from the New York State Board on Electric Generation Siting and the Environment (the Siting Board) to construct a 50-megawatt (MW) solar photovoltaic electric generating facility (the Project) in the Town of Sharon, Schoharie County, New York, pursuant to Article 10 of the New York State Public Service Law (PSL). East Point hereby provides notice that it will file a Preliminary Scoping Statement (PSS) with the Siting Board on or about September 28, 2018. The PSS summarizes the proposed scope of studies that East Point intends to undertake, the results of which will form the basis of its Article 10 Application to the Siting Board. East Point also seeks input from the public, interested agencies, and local municipalities on the scope and methodology of proposed studies to be conducted.

The Project components will include commercial-scale solar arrays, access roads, buried (and possibly overhead) electric collection lines, and electrical interconnection facilities. The Project anticipates the interconnection facilities will include a 69-kV switchyard which will be transferred to National Grid to own and operate. The proposed collection substation and interconnection facilities will be located on land east of the solar arrays within the Project Area, adjacent to National Grid’s existing Sharon—Marshville 69 kV transmission line, immediately adjacent to the existing Sharon substation. The Project is proposed to be constructed on land either leased or purchased from owners of private property.

The Project will safely generate enough clean, renewable electricity to power approximately 12,000 households. There will be no emission of air pollutants or liquid waste discharges during operation of the Project. The Project is expected to offset air emissions from other sources of electrical generation such as fossil fuel–powered generation plants, and will further the State Energy Plan’s goals of generating 50% of all electricity consumed in the State with renewable resources, and reducing greenhouse gas emissions by 40%, by the year 2030.

Based upon reasonably available information, the PSS will describe the scope of review and proposed studies to be performed under Article 10, including the environmental setting of the Project, environmental and health considerations to be evaluated, as well as construction, operation and decommissioning of the Project, proposed benefits of the Project, and Project security.

With the PSS, East Point will also submit \$17,500 in intervenor funding. Interested parties may apply for intervenor funding to be used to pay for expenses such as administrative, attorney, and/or consultant fees. A guide to applying for intervenor funding can be found on the New York State Department of Public Service’s (DPS) website by using the following direct link: [goo.gl/avcprS](http://goo.gl/avcprS).

Within 21 days after the date on which the PSS is filed, any person, agency, or municipality may submit comments on the PSS by serving such comments on East Point at the address provided below, and filing a copy with the Secretary to the Siting Board. Comments must reference Case 17-F-0599 and may be submitted to Hon. Kathleen H. Burgess, Secretary to the Siting Board, New York State Public Service Commission, Agency Building 3, Albany, NY 12223-1350 or electronically to [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Any interested person may also file a request with the Secretary to receive copies of all notices concerning the Project, including notices regarding any proposed pre-application stipulations. Documents filed in this proceeding may also be viewed at the DPS website located at [www.dps.ny.gov](http://www.dps.ny.gov) by clicking “Search” on the homepage and then entering Case 17-F-0599 in “Search by Case Number.”

Within 21 days after the closing of this comment period, East Point will prepare a summary of the material comments and their replies thereto, and file and serve the summary in the same manner as East Point files and serves the PSS.

Not less than 22 days after the PSS is filed, an Administrative Law Judge (ALJ) will hold a conference to, among other things, initiate the stipulation process in which East Point and other parties attempt to negotiate and agree on the studies and other issues to be addressed in the Article 10 Application. The ALJ will also issue a notice of availability of pre-application intervenor funds, which will provide a schedule and instructions on how interested parties may apply for such funds. Requests for intervenor funds are due within 30 days of issuance of the notice. A pre-application meeting will also be convened to consider funding requests no less than 45 but no more than 60 days after the filing of the PSS.

East Point will use the results of the studies it conducts to prepare the Application, which will be filed not less than 90 days after the PSS is filed. The Application will include, amongst other topics, a description of the Project, an evaluation of the environmental and health impacts and avoidance/mitigation measures, a summary of public involvement activities, applicable substantive provisions of local laws, electrical interconnection and system reliability studies, security and emergency plans, a statement demonstrating compliance with the most recent State Energy Plan, and other relevant information.

The Siting Board will then determine whether the Application is compliant with filing requirements. Once it is deemed compliant, the ALJ will schedule a public hearing and issue a notice that additional intervenor funds, in the amount of \$50,000, will be available for parties participating in the Application phase. The ALJ will also schedule a pre-hearing conference to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. After the hearings, intervenors may submit briefs to the ALJ, who will then issue a recommended decision, upon which the Siting Board will render its decision on whether to certify the Project. State law requires that the Siting Board must render a decision on the Application within 12 months of its determination that the Application is compliant with filing requirements.

Additional information on how to participate in Siting Board matters may be obtained by contacting East Point’s project representative or the Siting Board Public Information Coordinator:

**Contact Information for the Applicant**  
Mr. Kris Scornavacca  
700 Universe Blvd, FEW/JB  
Juno Beach, FL 33408  
561-694-4738  
[Kris.Scornavacca@nexteraenergy.com](mailto:Kris.Scornavacca@nexteraenergy.com)

**Contact Information for Siting Board Public Information Coordinator**  
James Denn  
NYS Department of Public Service  
3 Empire State Plaza  
Albany, NY 12223  
518-474-7080  
[james.denn@dps.ny.gov](mailto:james.denn@dps.ny.gov)

To find more information, please go to the Siting Board’s website ([www.dps.ny.gov/SitingBoard](http://www.dps.ny.gov/SitingBoard)) or the Project website ([www.eastpointenergycenter.com](http://www.eastpointenergycenter.com)), or call the Project’s toll-free number: **800-379-3841**.

Hard copies of the PSS will also be available for review at the following local document repositories:

- Town of Sharon Town Hall, 129 Main Street, Sharon Springs, NY
- Sharon Springs Free Library, 129 Main Street, Sharon Springs, NY

STATE OF NEW YORK }

COUNTY OF SCHOHARIE } SS.  
}

I, MATTHEW ANTARILE, duly swear that I am

employed with THE MOUNTAIN EAGLE,


a newspaper publication based in SCHOHARIE, New York,

as the PUBLISHER,

and further swear that the TRC AD

ran in SEPT. 14, 2018 on the following date(s):

Date(s):

  
(signature)

Sworn to before me on this 24 day of September, 2018.

  
Notary's signature

Melanie Laraway  
Notary Public State of New York  
No. 01LA6156785  
Qualified in Schoharie County  
Commission Expires Dec. 4, 2018

East Point Energy Center, LLC

# 50-Megawatt Solar Project

Schoharie County, New York

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700 Universe Blvd, FEW/JB  
Juno Beach, FL 33408  
561-694-4738  
[Kris.Scornavacca@nexteraenergy.com](mailto:Kris.Scornavacca@nexteraenergy.com)

### Contact Information for Siting Board Public Information Coordinator

James Denn  
NYS Department of Public Service  
3 Empire State Plaza  
Albany, NY 12223  
518-474-7080  
[james.denn@dps.ny.gov](mailto:james.denn@dps.ny.gov)

To find more information, please go to the Siting Board's website ([www.dps.ny.gov/SitingBoard](http://www.dps.ny.gov/SitingBoard)) or the Project website ([www.eastpointenergycenter.com](http://www.eastpointenergycenter.com)), or call the Project's toll-free number: 800-379-3841.

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- Sharon Springs Free Library, 129 Main Street, Sharon Springs, NY



Case Number 17-F-0599

*Application of East Point Energy Center, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Generating Facility Located in the Town of Sharon, Schoharie County.*

## AFFIDAVIT OF SERVICE

I, Brittany Gould of Eric Mower Associates, in Albany, New York, caused the letter entitled 'Notice of Submission of PSS,' a copy of said letter which is attached, to be served, on September 13, 2018, via US Postal Service first class mail, to 108 addresses on the captioned project Master Stakeholder List. A copy of said Master Stakeholder List to which this letter was sent is attached hereto.

  
Brittany Gould

Sworn to me before this 25<sup>th</sup> day of September, 2018.

  
Notary Public

MARK W WISEMAN  
Notary Public, State of New York  
No. 01WI6253087  
Qualified in Columbia County  
Commission Expires 12-19-19

Case Number 17-F-0599

*Application of East Point Energy Center, LLC for a Certificate of Environmental Compatibility  
and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar  
Generating Facility Located in the Town of Sharon, Schoharie County.*



## AFFIDAVIT OF SERVICE

I, Hannah Fairbanks of Eric Mower Associates, in Albany, New York, caused the letter entitled 'Notice of Submission of PSS,' a copy of said letter which is attached, to be served, on September 13, 2018, via US Postal Service first class mail, to 108 addresses on the captioned project Master Stakeholder List. A copy of said Master Stakeholder List to which this letter was sent is attached hereto.



Hannah Fairbanks

Sworn to me before this 25<sup>th</sup> day of September, 2018.

  
\_\_\_\_\_  
Notary Public

MARK W WISEMAN  
Notary Public, State of New York  
No. 01WI6253087  
Qualified in Columbia County  
Commission Expires 12-19-19

**East Point Energy Center, LLC**  
**East Point Energy Center Project**

**Stakeholder List**

**HOST COMMUNITY**

Sandra Manko, Supervisor  
Town of Sharon  
129 Main Street  
Sharon, NY 13459

Barbara L. Cousineau, Town Clerk  
Town of Sharon  
129 Main Street  
Sharon, NY 13459

Jerry Weis, Town Enforcement Officer  
Town of Sharon  
129 Main Street  
Sharon, NY 13459

Ray Parsons, Chair  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

Carl Seegers, Vice Chairman  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

Mary Ann Larkin, Secretary  
Sharon Springs Joint Planning Board  
P. O. Box 204  
Sharon Springs, NY 13459

Ann Adams  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

Pauline Brown  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

Mary Ann Larkin  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

David Hall  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

John Rodden, Jr  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

Joshua Stilwell, Alternate  
Sharon Springs Joint Planning Board  
P.O. Box 204  
Sharon Springs, NY 13459

**COUNTY AGENCIES**

Steve Wilson, County Administrator  
Schoharie County  
County Office Building  
284 Main Street  
Schoharie, NY 12157

Indica Jaycox, County Clerk  
Schoharie County  
County Office Building  
284 Main Street  
Schoharie, NY 12157

Alicia A. Terry, Director  
Schoharie County Planning & Development  
Agency  
349 Mineral Springs Road  
Cobleskill, NY 12043

Steve Hoerz, District Manager  
Schoharie County Soil & Water  
Conservation District  
173 South Grand Street  
Suite 3  
Cobleskill, NY 12043



Schoharie Watershed Program  
6049 Main Street  
Tannersville NY 12485

Earl VanWormer III, Chairman  
Board of Supervisors  
PO Box 226  
Esperance, NY 12066

Sheryl Largeteau, Clerk  
Board of Supervisors  
PO Box 429  
Schoharie, NY 12157

Judi Beeler, Deputy Clerk  
Board of Supervisors  
PO Box 429  
Schoharie, NY 12157

CJ Smith, Deputy Clerk  
Board of Supervisors  
PO Box 429  
Schoharie, NY 12157

Shawn J. Smith  
Board of Supervisors  
PO Box 928  
North Blenheim, NY 12131

David Simkins  
Board of Supervisors  
920 State Rt. 145  
Middleburgh, NY 12122

Larry Bradt  
Board of Supervisors  
PO Box 47  
Carlisle, NY 12031

Leo T. McAllister  
Board of Supervisors  
378 Mineral Spgs. Rd  
Suite 5  
Cobleskill, NY 12043

William Federice  
Board of Supervisors  
832 South Mountain Rd  
Gilboa, NY 12076

Philip Skowfoe Jr  
Board of Supervisors  
126 Chapman Road  
Fultonham, NY 12071

Anthony VanGlad  
Board of Supervisors  
373 State Rte 990V  
Suite 1  
Gilboa, NY 12076

Margaret Hait  
Board of Supervisors  
PO Box 34  
Jefferson, NY 12093

Gerald (Pete) Coppolo  
Board of Supervisors  
PO Box 946  
Middleburgh, NY 12122

Richard Lape  
Board of Supervisors  
PO Box 555  
Richmondville, NY 12149

Christopher Tague  
Board of Supervisors  
206 Orchard St  
Schoharie, NY 12157

John S. Bates  
Board of Supervisors  
795 Lowe Rd.  
Cobleskill, NY 12043

Sandra Manko  
Board of Supervisors  
PO Box 204  
Sharon Springs, NY 13459

Harold Vroman  
Board of Supervisors  
372 Charlotte Valley Rd.  
Charlotteville, NY 12036

Alexander Luniewski  
Board of Supervisors  
PO Box 158  
Gallupville, NY 12073

Alicia A. Terry, Senior Planner  
Schoharie County Agricultural District Board  
276 Main Street, Suite 2  
Schoharie, NY 12157

### **STATE AGENCIES**

Hon. Kathleen Burgess, Secretary,  
New York State Board on Electric  
Generation Siting and the Environment  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223

James Denn, Public Information Officer  
New York State Department of Public  
Service  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223

Lorna Gillings, Outreach Contact  
Consumer Advocacy and Education Office of  
Consumer Services  
New York State Department of Public  
Service  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223

Graham Jesmer, Esq. Assistant Counsel  
Office of General Counsel  
New York State Department of Public  
Service  
3 Empire State Plaza  
Albany, NY 12223

Basil Seggos, Acting Commissioner  
NYS Department of Environmental  
Conservation  
625 Broadway  
Albany, NY 12233

Keith Goertz, Regional Director  
NYS Department of Environmental  
Conservation, Region 4  
1130 North Westcott Road  
Schenectady, NY 12306

Ruth Pierpont, Acting Commissioner  
NYS Office of Parks, Recreation & Historic  
Preservation  
Peebles Island State Park  
P.O. Box 189  
Waterford, NY 12188-0189

Matthew Driscoll, Commissioner  
NYS Department of Transportation  
50 Wolf Road  
Albany, NY 12232

Jack Williams, P.E., Regional Director  
NYS Department of Transportation, Region 9  
44 Hawley Street  
Binghamton, NY 13901

Richard Ball, Commissioner  
NYS Department of Agriculture and Markets  
10B Airline Drive  
Albany, NY 12235

Alicia Barton, President and Chief Executive Officer  
NYS Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203-6399

Richard L. Kaufmann, Board Chairman  
NYS Energy Research and Development Authority  
17 Columbia Circle  
Albany, NY 12203-6399

Howard Zemsky, President and CEO  
Empire State Development Corp  
633 Third Avenue – Floor 37  
New York, NY 10017

Michael Yevoli, Capital Region Director  
Empire State Development Corporation  
433 River Street - Suite 1003  
Troy, NY 12180

Rossana Rosado, Secretary of State  
NYS Department of State  
One Commerce Plaza  
99 Washington Avenue  
Albany, NY 12231-0001

Eric T. Schneiderman  
NYS Attorney General  
State Capital Building  
Albany, NY 12224

Howard A. Zucker, Commissioner of Health  
NYS Department of Health  
Corning Tower  
Empire State Plaza,  
Albany, NY 12237

RoAnn Destito, Commissioner  
NYS Office of General Services  
41st Floor, Corning Tower  
Empire State Plaza  
Albany, NY 12242

#### **FEDERAL AGENCIES**

John R. Connell, Sr. Project Manager  
Upstate Regulatory Field Office  
Bldg. 10, 3rd Floor North,  
1 Buffington Street, Watervliet Arsenal  
Watervliet, NY 12198

David Stilwell, Field Supervisor  
US Fish and Wildlife Service  
3817 Luker Road  
Cortland, NY 13045

National Telecommunications and Information Administration (NTIA)  
Herbert C. Hoover Building (HCHB)  
1401 Constitution Avenue, N.W.  
Washington, D.C. 20230

Steven J. Sample  
Mission Evaluation Branch  
US Department of Defense Siting Clearinghouse  
3400 Defense Pentagon, Room 5C646  
Washington, DC 10301

Carmine Gallo, Eastern Region Regional  
Administrator  
Federal Aviation Administration  
1 Aviation Plaza  
Jamaica, NY 11434

**LEGISLATIVE REPRESENTATIVES**

Charles E. Schumer  
Senator, State of New York  
US Senate  
Leo O'Brien Building  
11A Clinton Avenue, Room 420  
Albany, NY 12207

Kirsten E. Gillibrand  
Senator, State of New York  
US Senate  
Leo W. O'Brien Building  
11A Clinton Avenue, Room 821  
Albany, NY 12207

John Faso  
Congressman, District 19  
US House of Representatives  
111 Main Street  
Delhi, NY 13753

James L. Seward  
Senator, 51<sup>st</sup> District  
NYS Senate  
41 South Main Street  
Oneonta , NY 13820

Peter D. Lopez  
Representative, 102<sup>nd</sup> District  
NYS Assembly  
45 Five Mile Woods Road  
Ste. 3  
Catskill, NY 12414

**HIGHWAY DEPARTMENTS**

Joseph Falsarella, Highway Superintendent  
Town of Sharon  
P.O. Box 62  
Sharon Springs, NY 13459

**SCHOOL DISTRICTS**

Patterson Green, Superintendent  
Sharon Springs Central School District  
514 State Highway 20  
Sharon Springs, NY 13459

**EMERGENCY RESPONDERS**

Anthony Desmond, Sheriff  
Schoharie County Sheriff's Department  
157 Depot Lane  
Schoharie, NY 12157

Greg Baxter, Fire Chief  
Sharon Springs Fire Department  
137 Beechwood Rd  
Sharon Springs, NY 13459

New York State Police, Troop G  
Zone 3 Station, Cobleskill  
950 Mineral Springs Rd.  
Cobleskill, NY 12043

Colleen M. Flynn, Coordinator  
Schoharie County Emergency Management  
2783 State Route 7  
Cobleskill, NY 12043

John P. Melville, Commissioner  
NYS Division of Homeland Security and  
Emergency Services  
1220 Washington Avenue, State Office  
Campus  
Building 7A Suite 710  
Albany, NY 12242

### **ADJACENT MUNICIPALITIES**

Barbara L. Cousineau, Town Clerk  
Village of Sharon Springs  
129 Main St  
Sharon Springs, NY 13459

Stacy Bruyette, Town Clerk  
Town of Carlisle  
541 Crommie Road  
Carlisle, NY 12031

Larry R. Bradt, Supervisor  
Town of Carlisle  
P.O. Box 47  
Carlisle, NY 12031

Laurel Eriksen, Town Clerk  
Town of Root  
1048 Carlisle Road  
Sprakers, NY 12166

Gary Kamp, Supervisor  
Town of Root  
1048 Carlisle Road  
Sprakers, NY 12166

Brenda Southworth, Town Clerk  
Town of Seward  
795 Lowe Road, Ste. 1  
Cobleskill, NY 12043

John Bates, Supervisor  
Town of Seward  
795 Lowe Road, Ste. 1  
Cobleskill, NY 12043

### **UTILITIES**

Michael Bemis, Board Chair  
New York Independent System Operator  
10 Krey Boulevard  
Rensselaer, NY 12144

Dean Seavers, President  
National Grid  
300 Erie Boulevard West  
Syracuse, NY 13202-4250

Spectrum  
1021 Highbridge Rd  
Schenectady, NY 12303

Verizon  
402 Balltown Rd  
Schenectady, NY 12304

**PUBLIC INTEREST GROUPS / ADDITIONAL  
STAKEHOLDERS**

Jamie Casterlin, President  
Schoharie County Chamber Of Commerce  
143 Caverns Rd  
Howes Cave, NY 12092

Don Smyers, Executive Director  
Cornell Cooperative Extension, Schoharie  
County  
173 South Grand Street  
Suite 1  
Cobleskill, New York 12043

Steve Wilson, Economic Development  
Coordinator  
Schoharie County Economic Development  
Office  
P.O. Box 429  
Schoharie, NY 12157

Darin Hickling, District 9 Director  
Schoharie County Farm Bureau  
5605 State Route 30  
Schoharie, NY 12157

Theodore B. Shuart  
Schoharie County Historian  
PO Box 394  
Warnerville, NY, 12187

Ellen McHale, President  
Route 20 Association of New York State  
793 State Route 51  
Ilion, NY 13357

Ray Roes, President  
Sharon Pathfinders (snowmobile club)  
PO Box 233  
Sharon Springs, NY 13459

Ron Ketelsen, President  
Sharon Springs Chamber of Commerce  
P.O. Box 182  
Sharon Springs, NY 13459

**AIRPORTS / HELIPORTS**

Sharon Airport (K31)  
US-20  
Sharon Springs, NY 13459

**LANDOWNERS**

Harry Tomlinson  
242 Empie Road  
Sharon Springs, NY 13459

Carol Vacca  
301 Highway Route 20  
Sharon Springs, NY 13459

C. Alfred Santillo  
172 Briggs Road  
Sharon Springs, NY 13459

Damnjan Kovacevic  
3050 County Highway 11  
Hartwick, NY 13348

**AREA RESIDENTS** (document repositories)

Sharon Town Office  
129 Main St.  
Sharon Springs, NY 13459

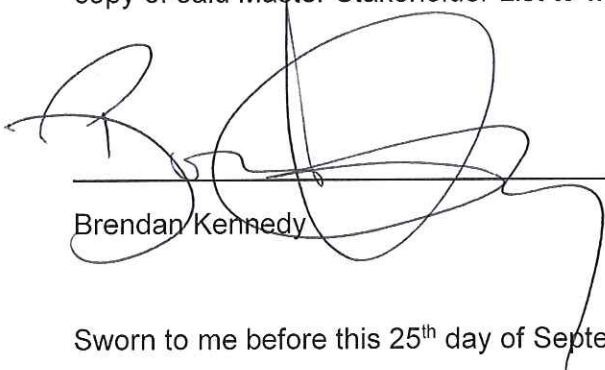
Sharon Springs Free Library  
129 Main Street  
Sharon Springs, NY

Case Number 17-F-0599


*Application of East Point Energy Center, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Generating Facility Located in the Town of Sharon, Schoharie County.*

## AFFIDAVIT OF EMAILING

I, Brendan Kennedy of Eric Mower Associates, in Albany, New York, caused the email entitled 'Notice of Submission of PSS,' a copy of said email which is attached, to be electronically sent on September 14, 2018 to the email addresses on the captioned project Master Stakeholder List. A copy of said Master Stakeholder List to which this email was sent is attached hereto.

  
\_\_\_\_\_  
Brendan Kennedy

Sworn to me before this 25<sup>th</sup> day of September, 2018.

  
\_\_\_\_\_  
Notary Public

MARK W WISEMAN  
Notary Public, State of New York  
No. 01WI6253087  
Qualified in Columbia County  
Commission Expires 12-19-19



**East Point Energy Center Stakeholders List**  
**(Received email notice only)**

JB Gross

Arthur Fitzpatrick

Ellen Pope

Alicia Terry

Helen Fitzpatrick

Craig Ferris

Laurell Tyler

Joanne Crum

Elliott Adams

Maureen Blanchard

Karen Cookson

Gerry Simon

Patsy Nicosia

Shane Nickle

Dan Stevens

Paul Chichester

William Mausling

Louise Mango

Damnjan Kovacevic

Byron Haverly

East Point Energy Center, LLC

# **50-Megawatt Solar Project**

**Schoharie County, New York**

## **NOTICE OF SUBMISSION OF PRELIMINARY SCOPING STATEMENT**

East Point Energy Center, LLC (East Point) is seeking authority from the New York State Board on Electric Generation Siting and the Environment (the Siting Board) to construct a 50-megawatt (MW) solar photovoltaic electric generating facility (the Project) in the Town of Sharon, Schoharie County, New York, pursuant to Article 10 of the New York State Public Service Law (PSL). East Point hereby provides notice that it will file a Preliminary Scoping Statement (PSS) with the Siting Board on or about September 28, 2018. The PSS summarizes the proposed scope of studies that East Point intends to undertake, the results of which will form the basis of its Article 10 Application to the Siting Board. East Point also seeks input from the public, interested agencies, and local municipalities on the scope and methodology of proposed studies to be conducted.

The Project components will include commercial-scale solar arrays, access roads, buried (and possibly overhead) electric collection lines, and electrical interconnection facilities. The Project anticipates the interconnection facilities will include a 69-kV switchyard which will be transferred to National Grid to own and operate. The proposed collection substation and interconnection facilities will be located on land east of the solar arrays within the Project Area, adjacent to National Grid's existing Sharon—Marshville 69 kV transmission line, immediately adjacent to the existing Sharon substation. The Project is proposed to be constructed on land either leased or purchased from owners of private property.

The Project will safely generate enough clean, renewable electricity to power approximately 12,000 households. There will be no emission of air pollutants or liquid waste discharges during operation of the Project. The Project is expected to offset air emissions from other sources of electrical generation such as fossil fuel-powered generation plants, and will further the State Energy Plan's goals of generating 50% of all electricity consumed in the State with renewable resources, and reducing greenhouse gas emissions by 40%, by the year 2030.

Based upon reasonably available information, the PSS will describe the scope of review and proposed studies to be performed under Article 10, including the environmental setting of the Project, environmental and health considerations to be evaluated, as well as construction, operation and decommissioning of the Project, proposed benefits of the Project, and Project security.

With the PSS, East Point will also submit \$17,500 in intervenor funding. Interested parties may apply for intervenor funding to be used to pay for expenses such as administrative, attorney, and/or consultant fees. A guide to applying for intervenor funding can be found on the New York State Department of Public Service's (DPS) website by using the following direct link: [goo.gl/avcprS](http://goo.gl/avcprS).

Within 21 days after the date on which the PSS is filed, any person, agency, or municipality may submit comments on the PSS by serving such comments on East Point at the address provided below, and filing a copy with the Secretary to the Siting Board. Comments must reference Case 17-F-0599 and may be submitted to Hon. Kathleen H. Burgess, Secretary to the Siting Board, New York State Public Service Commission, Agency Building 3, Albany, NY 12223-1350 or electronically to [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Any interested person may also file a request with the Secretary to receive copies of all notices concerning the Project, including notices regarding any proposed pre-application stipulations. Documents filed in this proceeding may also be viewed at the DPS website located at [www.dps.ny.gov](http://www.dps.ny.gov) by clicking "Search" on the homepage and then entering Case 17-F-0599 in "Search by Case Number."

Within 21 days after the closing of this comment period, East Point will prepare a summary of the material comments and their replies thereto, and file and serve the summary in the same manner as East Point files and serves the PSS.

Not less than 22 days after the PSS is filed, an Administrative Law Judge (ALJ) will hold a conference to, among other things, initiate the stipulation process in which East Point and other parties attempt to negotiate and agree on the studies and other issues to be addressed in the Article 10 Application. The ALJ will also issue a notice of availability of pre-application intervenor funds, which will provide a schedule and instructions on how interested parties may apply for such funds. Requests for intervenor funds are due within 30 days of issuance of the notice. A pre-application meeting will also be convened to consider funding requests no less than 45 but no more than 60 days after the filing of the PSS.

East Point will use the results of the studies it conducts to prepare the Application, which will be filed not less than 90 days after the PSS is filed. The Application will include, amongst other topics, a description of the Project, an evaluation of the environmental and health impacts and avoidance/mitigation measures, a summary of public involvement activities, applicable substantive provisions of local laws, electrical interconnection and system reliability studies, security and emergency plans, a statement demonstrating compliance with the most recent State Energy Plan, and other relevant information.

The Siting Board will then determine whether the Application is compliant with filing requirements. Once it is deemed compliant, the ALJ will schedule a public hearing and issue a notice that additional intervenor funds, in the amount of \$50,000, will be available for parties participating in the Application phase. The ALJ will also schedule a pre-hearing conference to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. After the hearings, intervenors may submit briefs to the ALJ, who will then issue a recommended decision, upon which the Siting Board will render its decision on whether to certify the Project. State law requires that the Siting Board must render a decision on the Application within 12 months of its determination that the Application is compliant with filing requirements.

Additional information on how to participate in Siting Board matters may be obtained by contacting East Point's project representative or the Siting Board Public Information Coordinator:

**Contact Information for the Applicant**

Mr. Kris Scornavacca  
700 Universe Blvd, FEW/JB  
Juno Beach, FL 33408  
561-694-4738  
Kris.Scornavacca@nexteraenergy.com

**Contact Information for Siting Board Public Information Coordinator**

James Denn  
NYS Department of Public Service  
3 Empire State Plaza  
Albany, NY 12223  
518-474-7080  
james.denn@dps.ny.gov

To find more information, please go to the Siting Board's website (**[www.dps.ny.gov/SitingBoard](http://www.dps.ny.gov/SitingBoard)**) or the Project website (**[www.eastpointenergycenter.com](http://www.eastpointenergycenter.com)**), or call the Project's toll-free number: **800-379-3841**.

Hard copies of the PSS will also be available for review at the following local document repositories:

- Town of Sharon Town Hall, 129 Main Street, Sharon Springs, NY
- Sharon Springs Free Library, 129 Main Street, Sharon Springs, NY