

STATE OF NEW YORK

Public Service Commission

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STONY CREEK WIND FARM APPROVED

— **New Wind Farm Will Increase Amount of Renewable Energy in New York** —

Albany, NY—12/15/11—The New York State Public Service Commission (Commission) today granted a Certificate of Public Convenience and Necessity, subject to conditions, for Stony Creek Energy LLC's (Stony Creek) wind energy project to be located in the Town of Orangeville, Wyoming County, consisting of up to 59 wind turbine generators, access roads, underground electrical lines, a two-acre interconnection substation, a construction staging area, and a centrally located operation and maintenance facility. The wind turbines will range up to 430 feet in total height.

As part of the decision, the Commission authorized Stony Creek to start development of a substation site for interconnection with New York State Electric & Gas Corporation's (NYSEG) facilities. Also, Stony Creek was approved for lightened regulation as an electric corporation for wholesale market operations, and its debt financing plans were approved.

For reasons of public safety and convenience, the installation of the proposed new General Electric model 1.6-100 wind turbines may only commence upon Stony Creek providing a third-party certification, which provides an assurance that the turbine design and manufacturing process conform to appropriate codes and industry standards (i.e., standards of the International Electrotechnical Commission) and that expected performance standards should be achieved.

Stony Creek is authorized to begin substation site development, and after providing more plan details, start construction of the substation and interconnection to a 230 kV transmission line owned by NYSEG. Construction of the substation is on the critical path to facility operation, in part due to

the nature of the construction and in part because Stony Creek must coordinate with NYSEG in scheduling a line outage to complete the tie-in work and testing.

Stony Creek has provided site grading and erosion control plans, and preliminary plans and equipment listings for substation and switchyard facilities. The Commission will require plans be revised to further address the installation of fencing, gates and permanent exterior lighting for security purposes at the substation, switchyard and operation and maintenance building.

Environmental review of Stony Creek's proposed project was conducted pursuant to the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law (ECL) by the Town of Orangeville, which was designated as the 'lead agency' under the SEQRA environmental review process.

The Commission's role as an 'involved agency' in the SEQRA review process is limited. Provisions under Section 68 of the Public Service Law are not in the nature of comprehensive siting requirements, nor do other state statutes, regulations or case law require additional hearings by 'involved agencies' in the SEQRA review process.

The Commission's primary focus under Section 68 relates to statewide and regional concerns, as well as the protection of public infrastructure and services. Therefore, on the basis of the consideration of the relevant environmental impacts presented in the Final Environmental Impact Statement, and review of the documents filed by parties, comments submitted by non-parties, and response to materials filed, the Commission today granted a certificate, subject to conditions, for the construction of the Stony Creek Wind Farm.

The Commission's decision, when issued, may be obtained by going to the Commission's Documents section of the www.dps.ny.gov Web site and entering Case 11-E-0351 in the input box labeled "Search for Case/Matter Number." Many libraries offer free Internet access. Commission orders may also be obtained from the Commission's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500).