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March 12, 2020

Via First-Class Mail & Electronic Filing

Hon. Michelle L. Phillips

Secretary to the Siting Board

NYS Board on Electric Generation Siting and the Environment

Agency Building 3

Albany, NY 12223

Re: Case No. 16-F-0546: Application of Heritage Wind, LLC, for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Construction of a Wind Energy Generating Facility in the Town of Barre, Orleans County, New York

Dear Secretary Phillips:

Heritage Wind, LLC (“Heritage Wind” or “Applicant”) is proposing to construct and operate an approximately 184.8-megawatt wind electric generating facility in the Town of Barre, Orleans County, New York (the “Facility”). To construct and operate the Facility, Heritage Wind is seeking a Certificate of Environmental Compatibility and Public Need from the New York State Board on Electric Generation Siting and the Environment (the “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 § 164 and 16 NYCRR § 1000.6, Heritage Wind hereby files its Application, electronically with the Secretary through the Public Service Commission’s Document Matter Management (“DMM”) System, and by serving paper copies upon the service list discussed in greater detail below. A check in the amount of \$184,800 for application intervenor funding as required by PSL § 164(6) has been submitted under separate cover.

The Application follows the statutory requirements of Article 10 (PSL § 164(1)), the Siting Board’s rules (16 NYCRR Part 1001 et seq.), and the Heritage Wind Stipulations. The Application contains, among other things, a description of the proposed Facility and the studies or program of studies conducted to evaluate potentially significant adverse environmental and health impacts, and the results of those studies along with proposed minimization and mitigation measures, where necessary.

Enclosed with the Application is the testimony of each expert witness the Applicant intends to offer at any hearing as required by PSL § 165 (16 NYCRR § 1000.6(c)(1)). The testimony includes the qualification of each witness and specifies the portion of the Application for which each witness is responsible for or supports. Copies of the pre-filed testimony and witness credentials are enclosed herewith.

Pursuant to PSL § 164(2) and 16 NYCRR § 1000.6(a), copies of the Application are being served upon the parties listed on the attached Service List. (See ‘Attachment 1’ of this letter for a copy of the Service List). An Affidavit of Service upon the Service List will be submitted when available.

Pursuant to 16 NYCRR § 1000.7(a) and 1000.7(b)(1), at least three (3) days in advance of the date on which the Application is being filed, notice of the Application with a summary and map (the “Application Notice”) was published in the *Batavia Daily News* on January 21 and 23, 2020, in the *Lake Country Pennysaver* during the week of January 19, 2020 and on local website *OrleansHub.com* for the week commencing January 17, 2020, which is. Given the delay in submission of the Application, the notices were re-published in February 2020 as follows: *Batavia Daily News* on February 14, 2020, *Lake Country Pennysaver* and on the *OrleansHub.com* website for the week of February 16, 2020. Proof of publication is appended as ‘Attachment 2’.

Pursuant to 16 NYCRR § 1000.7(b)(2), a letter enclosing a copy of the Application Notice was served on each member of the State Legislature in whose district any portion of the Facility is proposed to be located. A similar letter was sent to the Supervisor of the Town of Barre. See ‘Attachment 3’ to this letter for a copy of the letter and Application Notice, together with proofs of service.

Pursuant to 16 NYCRR § 1000.7(b)(3), on January 17, 2020, an email attaching a copy of the Application Notice was served on all persons who have filed a statement with the Secretary to the Siting Board that they desire to receive all such notices (the “Party List”). The same message was provided on January 22, 2020 to the Siting Board’s Public Information Coordinator. See ‘Attachment 4’ to this letter for a copy of the emails and Application Notice, together with proofs of service.

Pursuant to the Applicant’s Public Involvement Program Plan (“PIP”), a letter enclosing a copy of the Application Notice was served on the Master Stakeholder List as well as on all residents of the Town of Barre, on January 18, 2020 and again on February 19, 2020 via regular mail. See ‘Attachment 5’.

A copy of the Notice submitted to the stakeholders as outlined above was uploaded to the website for the Project at: https://www.heritagewindpower.com/article_10_application. A copy of that posting is included as “Attachment 6”.

Pursuant to 16 NYCRR § 1000.6(c)(5), the following are the names, addresses, telephone numbers and e-mail addresses of the Applicant and its Attorney:

Applicant:

Heritage Wind, LLC
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Finally, enclosed is a copy of the cover letter for the Applicant's motion and comprehensive brief pursuant to 16 NYCRR § 6-1.4, submitted to the Presiding Examiners, whereby the Applicant requests protection from public disclosure of certain information and documents contained in its Application. (See 'Attachment 7' to this letter for a copy of the letter requesting confidentiality.)

Please do not hesitate to call me with any questions.

Respectfully submitted,

/s/ Laura K. Bomyea

James A. Muscato II

Laura K. Bomyea

Attorney for Heritage Wind, LLC

Enclosures: Pre-Filed Testimony

Attachment 1: Application Service List

Attachment 2: Affidavits of Publication of Application Notice

Attachment 3: Proof of Notice served on State Legislature and Town Supervisor

Attachment 4: Proof of Notice served on DMM Party List and Siting Board Coordinator

Attachment 5: Proof of Notice served on Stakeholders

Attachment 6: Project Website Posting

Attachment 7: Request to Examiners for Confidentiality

cc: Service List