

NEW YORK STATE BOARD ON ELECTRIC
GENERATION SITING AND THE ENVIRONMENT

CASE 19-F-0299 - Application of Excelsior 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 in the Town of Byron, Genesee County.

NOTICE OF FILING OF A PRELIMINARY SCOPING STATEMENT
AND DEADLINE FOR SUBMITTING COMMENTS

(Issued September 26, 2019)

PLEASE TAKE NOTICE that, on September 24, 2019, Excelsior Energy Center, LLC (Excelsior) filed a Preliminary Scoping Statement (PSS) in connection with its proposal to construct a 280 megawatt (MW) solar photovoltaic electric generating facility (the Project) in the Town of Byron, Genesee County, New York, pursuant to Article 10 of the New York State Public Service Law (PSL). Excelsior also proposes to include a 20 MW/4-hour duration energy storage system as part of the Project.

The Project components would include solar arrays, access roads, buried and possibly overhead electric collection lines, energy storage, and electrical interconnection facilities. During construction, the Project would require one or more laydown yards. Additional Project facilities would consist of a new collection substation and 345 kV switchyard, which would be used to connect to the New York State grid and would be transferred to the New York Power Authority (NYPA) to own, maintain and operate. The proposed collection substation and interconnection facilities would be located on land adjacent to NYPA's 345 kV Line #NR2, between its Niagara and N. Rochester

substations. The Project would be located on land leased from owners of private property in the Town of Byron.

Before any entity can construct a major generating facility such as this one, it must first obtain approval 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. The Siting Board's approval would take the form of a Certificate of Environmental Compatibility and Public Need. Prior to filing an application for such a Certificate, an entity must first file a PSS with the Siting Board.

The filing of the PSS initiates the preliminary scoping phase of the Article 10 proceeding to determine the nature and scope of the studies Excelsior must undertake to develop the information that must be included in its formal application for the Certificate. In general, such studies identify and evaluate the potential impacts of a project on the environment, public health, and other public interest factors. State agencies and other interested persons are encouraged to engage in discussions with the project developer during this phase to reach agreements, called stipulations, regarding the details of these studies. Additional information about the Article 10 siting process and the preliminary scoping phase is available at the Siting Board's website, <http://www.dps.ny.gov/SitingBoard>.

PLEASE TAKE FURTHER NOTICE that any person, agency or municipality may submit comments on the Excelsior PSS by filing them with the Siting Board and serving them on Excelsior, as described below. Under the Siting Board's regulations, 16 NYCRR 1000.5(g), comments must be filed within 21 days after the filing of the PSS. **Comments on the PSS must be received by no later than 4:30 p.m. on Tuesday, October 15, 2019.**

Within 21 days of the close of the public comment period, the developer is required to file a summary of and reply to all timely filed comments on the PSS. In this case, **Excelsior must file its summary and reply by 4:30 p.m. on November 5, 2019.**

Public comments may be filed electronically by visiting the Department of Public Service website at www.dps.ny.gov. Use the "Search by Case Number" function by entering Case 19-F-0299. Click on the "Post Comments" button in the upper part of the screen. Fill in the form to post your comments. Alternatively, comments may be filed via e-mail to Hon. Kathleen H. Burgess, Secretary of the Siting Board, at secretary@dps.ny.gov, or by mail or delivery to Secretary Burgess at New York State Board on Electric Generation Siting and the Environment, Three Empire State Plaza, Albany, New York 12223-1350. Comments must refer to "Case 19-F-0299 - Excelsior Solar."

All comments must also be served on Excelsior's designated Project Representative, Keddy Chandran. Email: Keddy.Chandran@nexteraenergy.com; ordinary mail: NextEra Energy Resources, 700 Universe Blvd, FEW/JB, Juno Beach, FL 33408.

PLEASE TAKE FURTHER NOTICE that if you have received this document by U.S. Mail, please consider providing your e-mail address in order to receive further notices electronically in this case. You may do this by becoming a registered user of the Department of Public Service Document and Matter Management (DMM) System. Information and instructions can found on the Department's website, www.dps.ny.gov/DMM_Registration.html. If you do not wish to become a registered DMM user, you may provide

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your e-mail address to the Secretary, referencing Case 19-F-0299, by e-mailing the Secretary at secretary@dps.ny.gov.

(SIGNED)

KATHLEEN H. BURGESS
Secretary