

Case 19-F-0299
Excelsior Energy Center LLC
280 MW Solar Photovoltaic Generation and 20 MW Energy Storage Project
Town of Byron, Genesee County, New York

NOTICE OF SUBMISSION OF APPLICATION

Excelsior Energy Center LLC (“Excelsior” or “Applicant”) is seeking authority from the New York State Board on Electric Generation Siting and the Environment (the “Siting Board”) to construct a 280 megawatt (“MW”) solar photovoltaic electric generating facility and 20 MW / 4-hour duration energy storage system (the “Project”) in the Town of Byron, Genesee County, New York, under Article 10 of the New York State Public Service Law (“PSL”). Pursuant to PSL § 164 and 16 NYCRR § 1000.7, Applicant hereby provides notice that, on or about September 18, 2020, it intends to file its Application with the Siting Board for a Certificate of Environmental Compatibility and Public Need authorizing construction and operation of the Project.

The Project will consist of a 280 MW solar energy center and 20 MW / 4-hour duration energy storage system located on land leased from owners of private property. Project components include commercial-scale solar arrays, access roads, fencing, inverters, buried electric collection lines, a collection substation, and electrical interconnection facilities. The Project will generate electricity to be delivered into New York State’s transmission system via an onsite 345 kV switchyard that will be transferred to the New York Power Authority to own and operate.

The Project will safely generate enough clean, renewable electricity to power approximately 67,000 households. As a renewable resource, the Project will avoid harmful emissions and other adverse impacts associated with traditional fossil-fueled generating facilities, such as water usage. The Project will also be compatible with New York State’s policies promoting renewable energy including the 2015 State Energy Plan (SEP), as amended in 2020, the 2016 Clean Energy Standard (CES), and the Climate Leadership and Community Protection Act, which collectively require at least 70% of the State’s electricity to be derived from renewable resources by 2030, elimination of emissions from the electric sector by 2040, and development of 6,000 MW of solar energy by 2025. Further, the Project will benefit the economic growth of the local community through the creation of temporary and permanent jobs, increased tax revenues, and new payments to local farmers that will help them maintain farming operations on other properties.

Construction and operation of the Project will not result in adverse impacts to health, air, or water resources. The Project is mostly located on land that is already cleared and therefore avoids disturbances to forested lands to the maximum extent practicable. All impacts resulting from construction and operation of the Project have been minimized to the maximum extent practicable.

The Applicant intends to request a Water Quality Certification (“WQC”) pursuant to Section 401 of the Federal Clean Water Act. The WQC is necessary to obtain a permit from the U.S. Army Corps of Engineers.

The Application contains all the information by the proposed stipulations filed in this Article 10 proceeding. Studies and analyses as required by the proposed stipulations and Article 10 address many disciplines such as land use, noise, preliminary engineering, avian use, and decommissioning. The Siting Board will determine whether the Application is compliant with the Article 10 requirements. Once it is deemed compliant, the Administrative Law Judges (“ALJs”) assigned to this proceeding will issue a notice that intervenor funds, in the amount of approximately \$280,000, will be available for eligible parties participating in the Application phase. The ALJs will also schedule a pre-hearing conference to identify parties, award intervenor funds, identify issues for the hearing, and establish a case schedule. After the hearings, intervenors may submit briefs to the ALJs who will then issue a recommended decision, upon which the Siting Board will render its decision on whether to certify the Project and under what conditions. 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 the Article 10 requirements.

Interested, eligible municipal and local 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.

Any interested person wishing to receive all notices concerning the Project may submit a request to Hon. Michelle L. Phillips, Secretary, New York State Board on Electric Generation and the Environment, Agency Building 3, Albany, NY 12223-1350 or electronically to secretary@dps.ny.gov. Documents concerning the Siting Board's review of the Project may be viewed at the DPS website located at www.dps.ny.gov by clicking "Search" on the homepage and then entering Case 19-F-0299 in "Search by Case Number."

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

Excelsior Representative

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Siting Board Public Information Coordinator

James Denn
NYS Department of Public Service
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To find more information, please go to the Siting Board's website (www.dps.ny.gov/SitingBoard) or the Project website (<https://www.excelsiorenergycenter.com/>) or call the Project's toll-free number: (800) 674-8613.

A copy of the Application will be served on the Town Supervisor of the Town of Byron. The Application, when filed, may be examined during normal business hours at the Offices of the Department of Public Service at 3 Empire State Plaza, Albany, NY 12223, and at the following local document repositories:

- Town of Byron Town Hall, 7028 Byron Holley Road, Byron, NY 14422
- Byron-Bergen Public Library, 13 South Lake Avenue, Bergen, NY 14416

Below is a map that shows the location of the Project area.

