



EXCELSIOR ENERGY CENTER

Case No. 19-F-0299

1001.1 Exhibit 1

General Requirements

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Figure

Figure 1-1. Regional Project Location

Appendix

Appendix 1-1. Certificate of Formation

Exhibit 1: General Requirements

This Exhibit will track the requirements of Stipulation 1, dated July 6, 2020 and therefore, the requirements of 16 New York Codes, Rules and Regulations (NYCRR) § 1001.1.

1(a) Application Requirements

Excelsior Energy Center, LLC (the Applicant) proposes to construct a solar energy center, the Excelsior Energy Center (the Excelsior Energy Center or the Project), in the Town of Byron, Genesee County, New York (see Figure 1-1). The Project will consist of a 280-megawatt (MW) solar energy center and a 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, inverters, fencing, buried electric collection lines, and electrical interconnection facilities.

This Application contains the exhibits as described by 16 NYCRR § 1001 as relevant to the Project technology and site. In instances where an exhibit is not relevant to this particular Application, it has been noted.

1(b) Exhibit Title Pages

Each exhibit herein contains a title page showing:

- (1) The Applicant's name.
- (2) The title of the exhibit.
- (3) The proper designation of the exhibit.

1(c) Formatting

This Application has been formatted as follows:

- (1) Each Exhibit contains a table of contents.
- (2) Each Exhibit which includes references to supporting documentation (appendices) includes a list of such documents.
- (3) An acronym list has been included with the Table of Contents.
- (4) The following shapefiles, applicable to multiple exhibits, will be submitted to NYSDEC and DPS at the time the Application is filed:

The location of all Project components including (separately):

- Extent of the facility or Project area.
- All parcels under the Applicant's control.
- Proposed locations of panels, access roads, electric interconnections, fencing, storage areas, substations, etc.
- Solar array locations.
- New access and maintenance roads.
- Existing roads that will be widened/altered.
- Electric collection and transmission lines (specified above ground and/or underground).
- Security fence lines, if applicable.
- Laydown and storage area(s).
- Substation(s).
- Any other temporary or permanent infrastructure constructed in support of the Project.
- All areas to be cleared around solar arrays, access roads, electric lines, and all other Project components.

All wildlife and habitat survey locations as applicable and labeled by year including (separately):

- Breeding bird survey locations including transects, points and driving routes, as applicable.
- Eagle/raptor survey locations.
- Winter raptor survey locations and driving routes.
- Viewsheds for eagle/raptor and winter raptor observation points, indicating the area visible from each point.
- Bat acoustic monitoring and/or mist net locations, if applicable.
- Aerial raptor nest survey area and transects.
- Boundaries of all delineated wetlands, adjacent areas, and streams.
- The location(s), observation date(s), species, and behavior(s) of all T&E and SSC individuals on the landscape observed during pre-construction surveys and incidentally within and adjacent to the facility; and any other survey information pertinent to the Project. Attributes should include the species, number of individuals, dates, flight path, behaviors and survey type.

All proposed impact areas including (separately):

- Areas to be removed, cleared or disturbed overlaid with approximate locations and extent of identified plant communities, including areas of invasive species concentrations.
- Limits of disturbance/vegetation clearing.
- Stream crossing locations.
- Wetland and stream impacts.
- Wetland delineations within 100 feet of limits of disturbance, including identification of vernal pools, if any.

1(d) Statistical Comparison

The basis for statistical comparison for the data collected, compiled, and reported required by 16 NYCRR §1001, where applicable, will be obtained under any post-construction monitoring that is required by the Siting Board.. Concurrently with the filing of the Application, the Applicant is providing the New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Public Service (NYSDPS) shapefiles containing data collected for reports required by 16 NYCRR § 1001 and/or the Stipulations, as well as data collected for wildlife and habitat survey reports, using NYSDEC's *Guidelines for Conducting Bird and Bat Studies at Commercial Wind Energy Projects* (June 2016) as guidance.

- (1) GIS Shapefiles, as described in Section 1(c)(4) above, will be provided directly to DPS and NYSDEC Staff at the time the Application is filed.

1(e) Information in Multiple Exhibits and Applicant Information

Information, which is required for more than one exhibit, has been supplied in a single exhibit; however, this information is referenced in other exhibits where it is also required. Additional Applicant information is included below:

(1) Applicant Contact Information

Excelsior Energy Center, LLC

700 Universe Blvd., FEW/JB

Juno Beach, FL 33408

Telephone: (800) 214-7929

Fax: (561) 304-5404

Email: info@excelsiorenergycenter.com

(2) Project Website

The Project specific website address is: www.excelsiorenergycenter.com

(3) Applicant's Primary Public Contact and Authorized Agents

Mr. Keddy Chandran
c/o Harris Beach, PLLC
677 Broadway, Suite 1101
Albany, NY 12207
Telephone: (561) 691-7274
Fax: (561) 304-5404
Email: Keddy.Chandran@nexteraenergy.com

Ms. Michelle K. Piasecki
Harris Beach, PLLC
677 Broadway, Suite 1101
Albany, NY 12207
Phone: (518) 701-2741
Email: mpiasecki@harrisbeach.com

(4) Applicant's Principal Officer

Mr. Anthony Pedroni, Vice President
700 Universe Blvd, FEW/JB
Juno Beach, FL 33408
Telephone: (561) 694-4738
Fax: (561) 304-5404
Email: info@excelsiorenergycenter.com

(5) Document Service

All documents and correspondence related to this application should be served on the Applicant's public contacts, Keddy Chandran and Michelle Piasecki, per the contact information above. In addition, the Applicant requests that copies of documents or other correspondence also be served on the following agents:

Mr. Sam M. Laniado
Mr. Tyler Wolcott

Read and Laniado, LLP
25 Eagle Street
Albany, NY 12207
Phone: (518) 465-9313
Email: sml@readlaniado.com
tyler@readlaniado.com

Ms. Kaitlin McCormick
TRC Companies, Inc.
1090 Union Road, Suite 280
West Seneca, NY 14224
Telephone: (716) 221-4128
Email: kmccormick@trccompanies.com

(6) Business Description

Excelsior Energy Center, LLC is a limited liability company formed on May 17, 2018 in Delaware, and will develop, own, operate, and maintain a solar powered wholesale generating facility in Genesee County, New York. Excelsior Energy Center, LLC is a wholly-owned, indirect subsidiary of NextEra Energy Resources, LLC (NextEra), which is located in Juno Beach, Florida. NextEra is a nationally recognized clean energy provider with a portfolio of facilities totaling over 21,900 MW of generating capacity in the United States and Canada, of which over 2,000 MW is derived from the sun. NextEra operates primarily as a wholesale power generator, providing power and environmental attributes to utilities, retail electricity providers, power cooperatives, municipal electric providers, and large industrial companies. Approximately 99 percent of NextEra's electricity is derived from clean or renewable sources, including solar and wind. NextEra, together with its affiliated entities, is the world's largest operator of renewable energy from the wind and sun.

NextEra is a subsidiary of NextEra Energy, Inc. (NYSE ticker: NEE), a nationally recognized clean energy provider and the world's largest producer of wind and solar energy. NextEra Energy Inc. employs over 14,000 people in the United States and Canada. Headquartered in Juno Beach, Florida, NextEra Energy Inc.'s principal subsidiaries are Florida Power & Light Company, which serves approximately five million customer accounts in Florida and is one of the largest rate-regulated electric utilities in the United States, Gulf Power Company, which serves more than

460,000 customers in eight counties throughout northwest Florida, and NextEra Energy Resources, LLC (as previously described).

(7) Documents of Formation

Excelsior Energy Center, LLC is owned by NextEra Energy Resources, LLC. A copy of the Certificate of Formation for Excelsior Energy Center, LLC is included as Appendix 1-1.