

**Eight Point Wind, LLC**  
**Eight Point Wind Energy Center – Steuben County, New York**

**NOTICE OF SUBMISSION OF PROPOSED STIPULATIONS**

Eight Point Wind, LLC (the Applicant), a subsidiary of NextEra Energy Resources, LLC (NextEra), is proposing to construct a major electric generating facility, the Eight Point Wind Energy Center Project (or the “Project”), under Article 10 of the Public Service Law (PSL). This notice announces that on June 30, 2017, the Applicant will file proposed stipulations pursuant to 16 NYCRR § 1000.5 as to the scope and methodology of studies to be conducted in support of the Application, which will be filed at a later date. There will be a 30-day public comment period on the proposed stipulations.

The proposed Project is an up to 102 MW wind powered electric generating facility comprised of wind turbines and related components located on leased property located in the Towns of Greenwood and West Union in Steuben County, New York. The Project components are proposed to include the installation and operation of up to 31 wind turbines, associated collection lines (underground and overhead), access roads, permanent meteorological tower(s), laydown areas, an operations and maintenance (O&M) building, and a collection substation. To deliver power to the NYS power grid the Project will include a 115 kilovolt (kV) interconnection line from the collection substation to new point of interconnection facilities to be installed within New York State Electric and Gas Corporation’s Bennett Substation in Hornellsville. Since the design of the interconnecting transmission cable is proposed to be greater than 100 kV and the length is anticipated to exceed 10 miles, this component of the Project is anticipated to be considered a “Major Utility Transmission Facility” and subject to Article VII of the Public Service Law, and reviewed in a separate, but related, proceeding at the Public Service Commission. It is anticipated that the Article VII proceeding will be conducted in parallel with the Project’s Article 10 review.

On October 11, 2016, EPW made available to the public, state agencies, and affected municipalities a Preliminary Scoping Statement (PSS). Comments on the PSS were submitted. On November 11, 2016, EPW filed and served its response to comments on the PSS. On December 7, 2016, a pre-application procedural conference to consider requests for intervenor funding was held and the scoping stipulations process was ordered to be commenced.

This notice serves as a summary regarding the contents of proposed stipulations between the Applicant and the New York State Department of Public Service (DPS), the New York State Department of Environmental Conservation, the New York State Department of Agriculture & Markets, the New York State Department of Health, the Town of Greenwood, New York, and the Town of West Union, New York pursuant to 16 NYCRR § 1000.5(j)(2). Other potential parties in this proceeding may join these stipulations. During the 30-day public comment period, any person, agency or municipality may

submit comments on the stipulations by serving such comments on the Applicant: David Gil, Eight Point Wind, 700 Universe Boulevard, Juno Beach, Florida 33408 ([david.gil@nee.com](mailto:david.gil@nee.com)) and filing a copy with the Hon. Kathleen H. Burgess, Secretary of the Department of Public Service, at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov).

The proposed stipulations follow the exhibits required to be included in an Article 10 application pursuant to 16 NYCRR § 1001.1 and are intended to aid the Article 10 process by ensuring that the Application submitted by EPW is complete and narrows the potential issues to be heard during the hearing phase of the Article 10 process. Parties signing the stipulations agree that studies outlined in the stipulations constitute the necessary studies concerning the subject matter of the stipulations and that the Applicant will not be requested to provide additional studies, except as otherwise provided for in the stipulations.

Any party that executes a pre-application stipulation may not raise objections at the hearing on the Application as to the methodology or scope of any study or program of studies performed in compliance with such stipulation. Any other party may timely raise objections at the hearing as to the methodology or the scope of any study or program of studies performed in compliance with such stipulation.

The proposed stipulations set forth potential agreements between the parties on the following exhibits: Exhibit 1: General Requirements; Exhibit 2: Overview and Public Involvement; Exhibit 3: Location of Facilities; Exhibit 4: Land Use; Exhibit 5: Electric System Effects; Exhibit 6: Wind Power Facilities; Exhibit 8: Electric System Production Modeling; Exhibit 9: Alternatives; Exhibit 10: Consistency with Energy Planning Objectives; Exhibit 11: Preliminary Design Drawings; Exhibit 12: Construction; Exhibit 13: Real Property; Exhibit 14: Cost of Facilities; Exhibit 15: Public Health and Safety; Exhibit 17: Air Emissions; Exhibit 18: Safety and Security; Exhibit 19: Noise and Vibration; Exhibit 20: Cultural Resources; Exhibit 21: Geology, Seismology and Soils; Exhibit 22: Terrestrial Ecology and Wetlands; Exhibit 23: Water Resources and Aquatic Ecology; Exhibit 24: Visual Impacts; Exhibit 25: Effect on Transportation; Exhibit 26: Effect on Communications; Exhibit 27: Socioeconomic Effects; Exhibit 28: Environmental Justice; Exhibit 29: Site Restoration and Decommissioning; Exhibit 31: Local Laws and Ordinances; Exhibit 32: State Laws and Regulations; Exhibit 33: Other Applications and Filings; Exhibit 34: Electric Interconnection; Exhibit 35: Electric and Magnetic Fields; Exhibit 37: Back-Up Fuel; Exhibit 38: Water Interconnection; Exhibit 39: Wastewater Interconnection; and Exhibit 40: Telecommunications Interconnection.

The proposed stipulations agree that the following exhibits are not applicable to the Project and will not be included in the Application: Exhibit 7: Natural Gas Power Facilities; Exhibit 16: Pollution Control Facilities; Exhibit 30: Nuclear Facilities; Exhibit 36: Gas Interconnection; and Exhibit 41: Applications to Modify or Build Adjacent.

The proposed stipulations include but are not limited to: the scope and types of studies to be conducted, the content and analysis to be supplied with each exhibit and/or study, the types of maps, drawings or explanations to be provided, the methodologies to be used in performing studies, the data to be collected and compared in the studies, impact avoidance and mitigation measures, the type and extent of agency consultations needed

before submitting the Application and the information required to be provided in the Application in compliance with the regulations.

The Applicant intends to submit an Article 10 Application in approximately six weeks in order to achieve critical milestones for the Project. Building on the scoping process and the stipulations developed by the parties, the Application will include the studies developed as part of the scoping process in support of the Project.

Once an Application is filed and determined by the Siting Board to be complete, the Siting Board will schedule a public hearing on the Application. The Siting Board will also issue a notice of availability of application intervenor funds that are available to be used by parties to participate in formal review of the Application. A pre-hearing conference will be scheduled by the Hearing Examiners to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. Additional hearings regarding the Application and project impact assessments will be scheduled by the Hearing Examiners as needed. After hearings, the stakeholders may brief their positions and the Hearing Examiners will issue a recommended decision upon which the Siting Board will base its decision. Article 10 requires that all proceedings on the Application, including a final decision by the Siting Board must be completed within 12 months of when the Application is determined to be complete.

The record of this proceeding, including the proposed stipulations, may be examined during normal business hours at the Offices of the DPS at 3 Empire State Plaza, Albany, New York 12223, and may also be viewed at the following public repositories: Jasper Free Library, 3807 Library Street, Jasper, New York 14844; Wimoaughsian Free Library, 19 West Main Street, Canisteo, New York 14823; and City of Hornell Public Library, 64 Genesee Street, Hornell, New York 14843.

The stipulations are available at the DPS website at <http://www.dps.ny.gov>. To access documents, go to “What’s Trending” and “Generation Siting” and click on the link “Eight Point Wind” or the direct link for Case Number 16-F-0062: <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=16-F-0062&submit=Search> or by going to the Project-specific website maintained by the Application at <http://eightpointwind.com/>.