



EIGHT POINT WIND ENERGY CENTER

Case No. 16-F-0062

1001.33 Exhibit 33

Other Applications and Filings

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Exhibit 33: Other Applications and Filings

33(a) Other Applications & Filings

The Applicant does not have any other pending application or filing with the PSC concerning the Project.

In August 2016, the Applicant signed a long-term agreement to sell the Renewable Portfolio Standard (RPS) attributes to the New York State Energy Research and Development Authority (NYSERDA). The New York State PSC adopted a RPS program to address the energy, economic, and environmental objectives of New York State by creating the potential to build new industries in the State based on clean, environmentally responsible energy technologies and NYSEDA is the Central Procurement Administrator of the RPS Program. The Applicant participated in RFP 3257 and was selected by NYSEDA as a winning bidder with respect to the Eight Point Wind Energy Center.

The Applicant will apply to the Public Service Commission for (1) a Certificate of Environmental Compatibility and Public Need to authorize construction of an approximately 16.5-mile 115 kV transmission line to connect the Project to the New York transmission grid through a parallel and separate Article VII and (2) a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the PSL authorizing the exercise of municipal rights to occupy municipal property.

Details pertaining to other federal applications and filings are provided below in section 33(b).

33(b) Anticipated Federal Permits, Consents, Approvals, or Licenses

Pursuant to 16 NYCRR § 1001.33(b), the following federal permits, consents, approvals or licenses are anticipated to be required for construction or operation of the Project:

United States Fish and Wildlife Service (USFWS):

- Endangered Species Act, Section 7 Consultation

United States Army Corps of Engineers (USACE):

- National Environmental Protection Act (NEPA) compliance
- National Historic Preservation Act, Section 106 compliance
- Section 404 of the Clean Water Act (CWA) or Nationwide Permit for Placement of Fill in Federal Jurisdictional Wetlands, Waters of the United States

The dates for these federal applications will be contingent upon Certification of the Project through Article 10 of the PSL.

Federal Aviation Administration (FAA):

- Filing of FAA 7460-1 Notice of Proposed Construction or Alteration, and anticipated Determination of No Hazard.

As detailed in Exhibit 25(f), the Applicant has filed FAA Form 7460-1 for all turbines and anticipates receiving Determinations of No Hazard in early 2018, which will be submitted in a supplemental filing to this Application.