

December 17, 2013

MEMORANDUM TO THE TRUSTEES

FROM THE PRESIDENT and CHIEF EXECUTIVE OFFICER

**SUBJECT: Plattsburgh to Vermont Transmission Facility (PV-20) –
Acquisition of Property – Map No. CL-1506, Parcel No. 1506**

SUMMARY

The Trustees are requested to authorize the acquisition by purchase or eminent domain of a permanent easement over and across Cumberland Head Road in the Town of Plattsburgh, County of Clinton, as more particularly shown on the attached Exhibit “A.”

BACKGROUND

The Plattsburgh to Vermont Transmission Facility (“PV-20”) is an approximately 9-mile long 115 kV circuit that connects the Plattsburgh Substation in Beekmantown, New York, to the Vermont Electric Company substation in Milton, Vermont. A single 115 kV circuit extends from the Plattsburgh Substation to the Cumberland Head Transition Station, where it transitions to submarine cables and enters Lake Champlain. The existing submarine/subterranean cables consist of four 115 kV cables that were installed in 1958 and three 115 kV cables that were installed in 1971. The 1958 cables have exceeded their projected 50-year useful life and the 1971 cables are approaching the end of their useful life. The Authority has proposed replacing 4,800 feet of submarine/subterranean 115 kV design capacity cables in New York State with 230 kV design capacity cables.

DISCUSSION

The PV-20 line runs overland from the Plattsburgh substation for approximately 7.5 miles prior to entering Lake Champlain. At the time of initial installation, the Authority secured easement rights over and across all lands necessary to connect to the submerged portion of the Project except for rights to a parcel, approximately 30 x 50 feet, at the point where the 1971 alignment crosses Cumberland Head Road, a public roadway purportedly owned and maintained by the County of Clinton. The Authority is the fee owner of the adjoining lands on both sides of Cumberland Head Road. This acquisition will perfect the Authority’s easement rights over and across Cumberland Head Road and extinguish any potential third-party rights which might impede the Authority’s use. It is expected that the property will be appropriated under Section 402 (A)(4) of the New York State Eminent Domain Procedure Law, which authorizes the immediate acquisition of lands in the bed or beds of any streams, lakes, streets, roads, highways, or rights-of-way by the filing of a map and description of the parcel and sets forth a streamlined procedure for the vesting of title.

FISCAL INFORMATION

It is not anticipated that there will be any financial consequences of this transaction. Any costs or consideration incurred will be paid from the Real Estate O&M budget.

RECOMMENDATION

The Senior Vice President – Enterprise Shared Services, the Vice President – Transmission, the Acting Vice President – Project Management and the Director – Site Purchasing/Real Estate recommend that the Trustees approve the acquisition of permanent easement rights in and to the property shown and described on the map entitled “Power Authority of the State of New York, St. Lawrence River Project, Barnhart-Plattsburgh Transmission Line, County of Clinton, Town of Plattsburgh, Map No. CL-1506, Parcel No.1506.”

For the reasons stated, I recommend the approval of the above-requested action by adoption of a resolution in the form of the attached draft resolution.

Gil C. Quiniones
President and Chief Executive Officer

Att.
PV20 – Acquisition
of Property

RESOLUTION

RESOLVED, That pursuant to the provisions of Article 5, Title 1 of the Public Authorities Law, the Authority hereby finds it necessary to acquire by purchase or eminent domain the real properties shown and described on a map entitled “Power Authority of the State of New York, St. Lawrence River Project, Barnhart-Plattsburgh Transmission Line, County of Clinton, Town of Plattsburgh, Map No. CL-1506, Parcel No.1506,” and hereby finds and determines that such real property is required for public use and hereby determines that such real property is reasonably necessary for the Plattsburgh to Vermont Transmission Facility (“PV-20”) line, and be it further

RESOLVED, That in the opinion of the Authority the acquisition of the real property shown and described on said Map No. CL-1506 is *de minimis* in nature so that the public interest will not be prejudiced by the acquisition of such real property without a public hearing; and be it further

RESOLVED, That the Executive Vice President – Enterprise Shared Services and Administration, be, and hereby is, authorized and directed to execute on behalf of the Authority such certificates, requests, and directions on terms and conditions substantially in accord with the attached memorandum of the President and Chief Executive Officer, as are necessary or desirable for the acquisition of such real property; and be it further

RESOLVED, That the Chairman, the Vice Chair, the President and Chief Executive Officer, the Chief Operating Officer and all other officers of the Authority are, and each of them hereby is, authorized on behalf of the Authority to do any and all things and take any and all actions and execute and deliver any and all agreements, certificates and other documents to effectuate the foregoing resolution, subject to the approval of the form thereof by the Executive Vice President and General Counsel.

EXHIBIT A

New York Power Authority St. Lawrence-FDR Power Project PV-20 Transmission Line Proposed Easement At Cumberland Head Road Town of Plattsburgh Clinton County

Legend

-  NYPA Fee-Owned Property
-  Existing NYPA Tx Easements
-  Maintained Edge of ROW
-  NYPA Tx Structures
-  Public Highways



1 inch = 100 feet

