

123 Main Street
White Plains, NY 10601
914 681.6200



June 27, 2014

Hon. Kathleen H. Burgess
Secretary
State of New York Public Service Commission
Three Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

Subject: Application of the New York Power Authority for an Amendment to the Certificate of Environmental Compatibility and Public Need for the Marcy South 345 kV Transmission Facilities, Case 13-T-0515 (formerly Case 70126), for the Marcy South Series Compensation Project

Dear Secretary Burgess:

On January 17, 2014, the New York Power Authority (“NYPA”) filed with the New York Public Service Commission (“Commission”) an Application for Amendment to the Certificate of Environmental Compatibility and Public Need for the Marcy South 345 kV Transmission Facilities (“Amendment Application”). The Amendment Application requested that the Commission authorize the addition of one 915 MVAR series capacitor bank and associated equipment (“SC Bank”) on NYPA-owned land adjacent to the existing Marcy substation located in Marcy, Oneida County, New York and one 315 MVAR SC bank on property owned by New York State Electric & Gas Corporation (“NYSEG”) adjacent to the existing Fraser substation located in Delhi, Delaware County, New York.

On May 7, 2014, NYPA informed the Commission that upon further examining the Amendment Application, NYPA had several discussions with NYSEG to determine the possible relocation of the proposed Marcy SC Bank to a site near the Fraser substation as there were several possible advantageous aspects related to costs, engineering, efficiency and constructability in relocating the Marcy SC Bank. Accordingly, NYPA requested that the Commission take no further action on NYPA’s Amendment Application until its discussions with NYSEG had concluded.

NYPA has now reached an agreement with NYSEG regarding relocating the proposed 915 MVAR SC Bank to a site on NYSEG-owned property located near the Fraser substation. NYPA submits this supplemental filing which addresses this change in the Amendment Application and confirms that the project will result in no material increase in any environmental impact of the Marcy South 345 kV Transmission Facilities.

At this time NYPA is making this submission electronically. Six (6) hard copies of this submittal will be filed as soon as possible, but no later than June 27, 2014. Correspondence concerning the application should be directed to the following persons:

Christine A. Fazio, Esq.
Carter Ledyard & Milburn LLP
2 Wall Street
New York, NY 10005
T: (212) 732-3200
fazio@clm.com

Mark K. Malone
Director, Project Development and Licensing
New York Power Authority
123 Main Street
White Plains, New York 10601
T:(914) 390-8026
mark.malone@nypa.gov

Andrew F. Neuman
Principal Attorney
New York Power Authority
123 Main Street
White Plains, New York 10601
T: (914) 390-8028
andrew.neuman@nypa.gov

NYPA continues to respectfully request for expedited review of this Amendment Application so that it can timely procure the SC banks to comply with the June 30, 2016 commercial operation date. The expedited approval of this Amendment Application is appropriate and no hearing is required pursuant to Public Service Law Section 123(2).

If you have any questions regarding this application, please call me at (914) 287-3971.

Respectfully submitted,



John J. Suloway
Vice President
Project Development and Licensing

Enclosures
cc: Attached Service List

SERVICE LIST

New York County and Local Government

Brian N. Scala, Town Supervisor
Town of Marcy
8801 Paul Becker Road
Marcy, NY 13 403
Phone: 315-768-4800 EXT 240
Email: Brian.Scala@townofmarcy.org

Gerald J. Fiorini, Chairman of the Board
Oneida County
1800 Bedford Street
Rome, NY 13440
Home: 315-337-9045, Work 315-798-5900
Email: gfiorini@ocgov.net

Mark Tuthill, Town Supervisor
Town of Delhi
5 Elm Street
Delhi, NY 13753
Phone: 607-746-8696

James E. Eisel Sr., Chairman of the Board
Delaware County
111 Main Street
Delhi, NY 13786
Phone: 607-832-5110

Anthony Picente, Jr., Oneida County Executive
Oneida County Office Building
800 Park Avenue
Utica, NY 13501
Phone: 315-798-5800
Email: ce@ocgov.net

New York Local Libraries

Utica Public Library
303 Genesee Street
Utica, NY 13501
Phone: 315-735-2279
Director: Darby O'Brien

Cannon Free Library
40 Elm Street
Delhi, NY 13753
Phone: 607-7462662
Director: Stacey Tromblee

New York State Agencies

Kathleen H. Burgess, Secretary to the Commission
NYS Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223
Phone: 518-474-6530
Email: secretary@dps.ny.gov

Rose Harvey, Commissioner
NYS Office of Parks, Recreation & Historic
Preservation
Empire State Plaza
Agency Building 1
Albany, NY 12238
Phone: 518-474-0456

Cesar A. Perales, Secretary of State
NYS Department of State
One Commerce Plaza
99 Washington Avenue
Albany, NY 12210
Phone: 518-474-4752

Joe Martens, Commissioner
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12207
Phone: 518-402-8545
Fax: 518-402-8541

SERVICE LIST

Ken Adams, Chairman &CEO
NYS Dept. of Economic Development
633 Third Ave.
New York, NY 10017
(212)803-3100

James Bays, Acting Commissioner
NYS Department of Agriculture and Markets
10B Airline Drive
Albany, NY 12205
Phone: 518-457-3880

Joan McDonald, Commissioner
NYS Department of Transportation
50 Wolf Road
Albany, NY 12205
Phone: 518-457-4422

New York State Assembly

Claudia Tenney, Assembly Member
Assembly District 101
4747 Middle Settlement Road
P.O. Box 627
New Hartford, NY 13413
Phone: 315-736-3947
Fax: 315-736-3947
Email: tenneyc@assembly.state.ny.us

Anthony J. Brindisi, Assembly Member
Assembly District 119
207 Genesee Street, Room 401
Utica, NY 13501
Phone: 315-732-1055
Fax: 315-732-1413
Email: brindisia@assembly.state.ny.us

New York State Senate

Senator Joseph A. Griffo
Senate District 47
207 Genesee Street, Room 405
Utica, NY 13501
Phone: 315-793-9072
Email: griffo@nysenate.gov

Senator John J. Bonacic
Senate District 42
111 Main Street
Delhi, NY 13753
Phone: 607-746-6675
Email: bonacic@nysenate.gov

SERVICE LIST

Other:

Doreen U. Saia, Esq.
Greenberg Traurig, LLP
54 State Street, 6th Floor
Albany, NY 12207
Phone: 518-689-1430
Fax: 518-689-1430
Email: saiad@gtlaw.com

Counsel to Entergy Nuclear FitzPatrick, LLC, Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC and Entergy Nuclear Operations, Inc.

Application for Amendment of Certificate of Environmental Compatibility & Public Need Marcy South 345kV Transmission Line Facilities

Supplemental Filing

Background

The original New York Power Authority (“NYPA” or “Applicant”) Amendment Application requested that the Commission authorize the addition of one Series Capacitor (“SC”) bank adjacent to the existing Marcy Substation (“Marcy SC Bank”) and one SC bank adjacent to the existing Fraser Substation (“Fraser SC Bank”). After further review, NYPA determined that there are several advantages to the project by relocating the Marcy SC Bank to the Fraser Substation property.

The proposed relocation of the Marcy SC Bank improves efficiency and overall constructability of the project. The objectives and improvements to power flow across the circuits remains unchanged. The Marcy SC Bank still connects to the existing Marcy-Coopers Corners (UCC2-41) line and the Fraser SC Bank connects to the Edic-Fraser (EF24-40) circuit, adding 40% compensation to the Marcy-Coopers Corners 345 kV line, and 25% compensation to the Edic-Fraser 345 kV line.

This supplemental filing (“Supplemental Filing”) describes the impacts associated with the proposed relocation of the Marcy SC Bank from the Marcy Substation to the Fraser Substation. There are three attachments to the Supplemental Filing: Attachment A - Figures, Attachment B - Wetland Investigation, and Attachment C - Revised Schedule.

Project Description and Location

NYPA proposes to construct the Marcy and Fraser SC Banks on NYSEG owned property at the Fraser Substation in the Town of Delhi, Delaware County (Appendix A; Figures 1 and 2). For comparison purposes, Figure 3 shows the layout of NYPA’s Fraser SC Bank submitted in the original Amendment Application.

The installation includes: (1) 915 MVAR SC bank (Marcy SC Bank) and (1) 315 MVAR SC bank (Fraser SC Bank) adjacent to the existing NYPA maintained transmission corridor. Total project footprint and area of disturbance for both SC banks is approximately 2.0 acres.

Additional project facilities within the project footprint will include:

- A single control building, relay and protection control equipment
- Additional transmission towers at similar heights within the existing maintained Right-of-Way (“ROW”)

Summary of Impacts

The Applicant performed a review of environmental resource data to assess impacts of the proposed relocation. Resource areas included: wetlands, rare and threatened species, cultural resources, vegetation, soils, electromagnetic fields, visual assessment and noise.

Wetland Investigation

A follow-up wetland investigation was performed at Fraser Substation to include the expanded area for both SC Banks. The consultant confirmed the absence of any state or federal wetlands within the proposed Project Area (“Project Area”) (Attachment B). There will be no impacts to wetlands as a result of this project. Relocation of the Marcy SC Bank eliminates any potential wetland impacts at the Marcy Substation.

Rare and Threatened Species

NYPA reviewed the federally-listed Threatened and Endangered Species and Candidate Species. There are no federally listed threatened, endangered, or candidate species known to occur within the proposed Project Area at the Fraser Substation.

Cultural Resources

NYPA’s consultant conducted a Phase I archeological investigation of previously undisturbed locations within the Project Area. The survey was conducted in accordance with the New York Archeological Council’s *Standards for Cultural Resource Investigations and the Curation of Archeological Collections in New York State*. The survey determined that no historic properties are affected.

If significant changes to the Project Area are identified during detailed design, additional investigations will be performed when developing the Environmental Management & Construction Plan (“EM&CP”).

Vegetation

Vegetative communities impacted by the proposed project include an active hay field and a small portion of an upland deciduous forest. The hay field is dominated by timothy (*Phleum pratense*) and unidentified grasses. The forested area on the eastern edge of the Project Area is sub-mature; approximately eight (8) inches diameter breast height (“dbh”) or less dominated by sugar maple, black cherry and white ash.

The majority of the Project Area is already cleared for hay and the removal of a small percentage of the sub-mature trees is not considered a significant impact.

Soils

Construction of the project will require the removal of surficial topsoil and organic materials and grading. A Stormwater Pollution Prevention Plan (“SWPPP”) will be developed and submitted as part of the EM&CP. As required, erosion control measures and soil mixing will be implemented in areas where construction will occur.

Electric and Magnetic Fields

The installation of SC Banks does not involve changing the conductor. The original conductor that was certified in the Order approving the Facilities remains installed on the existing transmission structures. The installation of the SC Banks will not change the maximum Electromagnetic Field strength under the winter normal rating.

Visual Assessment

NYPA evaluated the potential visibility of the proposed Project and objectively determined the difference in the visual character of the landscape before and after construction of the Project. Since the proposed SC Banks will be installed adjacent to an existing substation and the maintained ROW, significant visual impacts are not anticipated.

Noise

Discussions with the potential manufacturers of the SC Banks have indicated that the SC Banks do not normally generate noise during operation. However, as part of the Engineer, Procure, and Construct (“EPC”) contract, the manufacturer will be required to provide an estimate of the noise levels generated by the SC Banks during operation. As required a noise mitigation plan would be developed as part of the EM&CP.

During construction and installation the contractor will utilize Best Management Practices (“BMPs”) to minimize potential noise to nearby receptors.

Additional Information

Photographs of the existing site are included in Attachment B and a revised schedule is provided in Attachment C.

Summary

This supplemental filing outlines the change in the project and confirms no material increase in any environmental impact of the Marcy South 345 kV Transmission Facilities. The existing 345kV voltage will remain unchanged and this Amendment does not result in a substantial change in the location of all or any portion of the Facilities.

Attachments:

Attachment A – Figures

Attachment B - Wetland Investigation

Attachment C – Revised Schedule

Attachment A – Figures

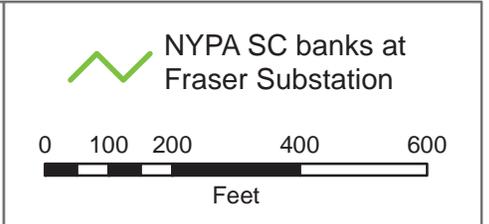
Figure 1 – General Overview

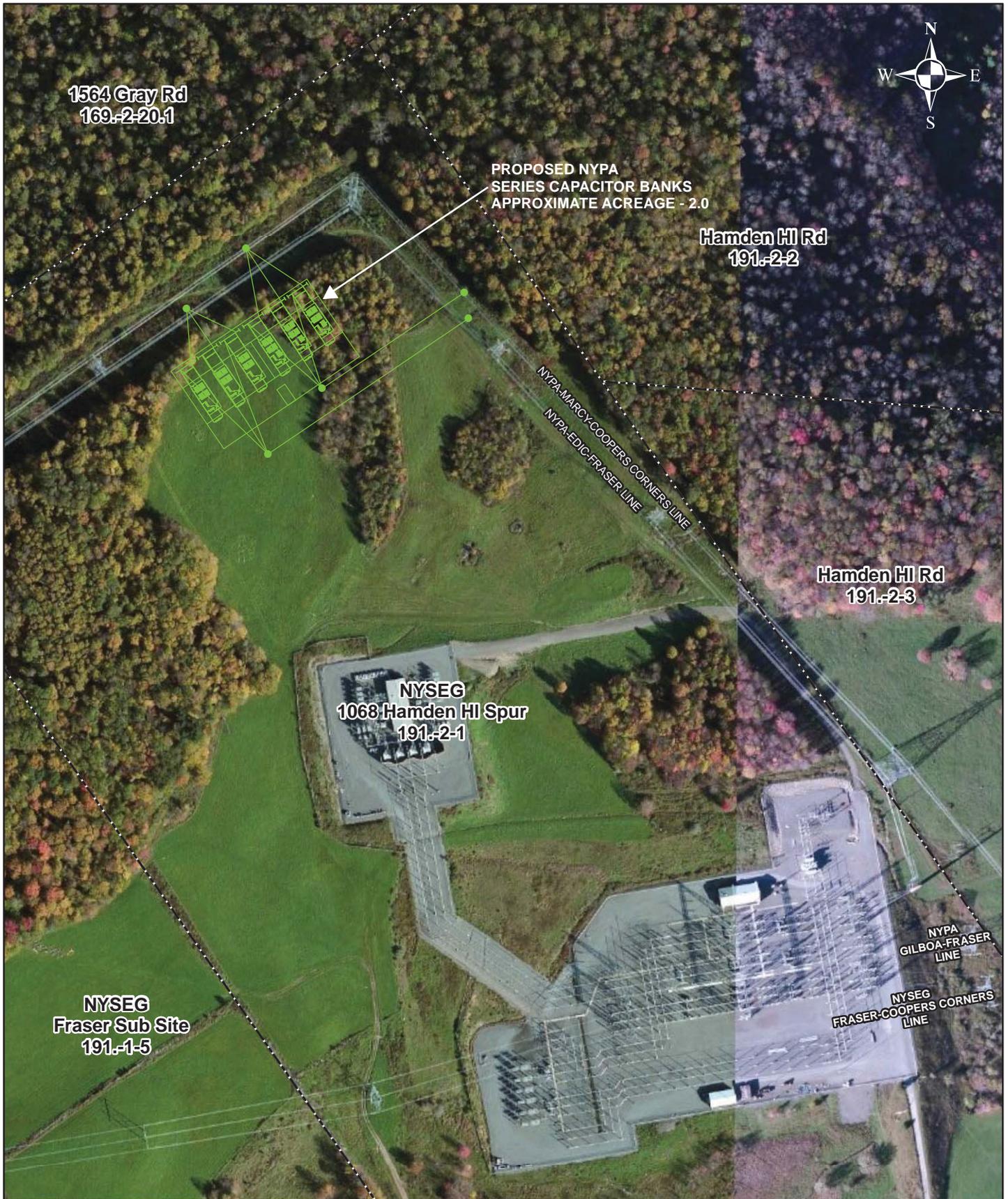
Figure 2 – Parcel Ownership

Figure 3 – Original Layout



New York Power Authority
 Figure 1
 General Overview Proposed
 NYPA Series Compensation Banks
 Approximate Acreage - 2.0



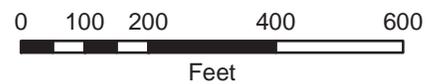


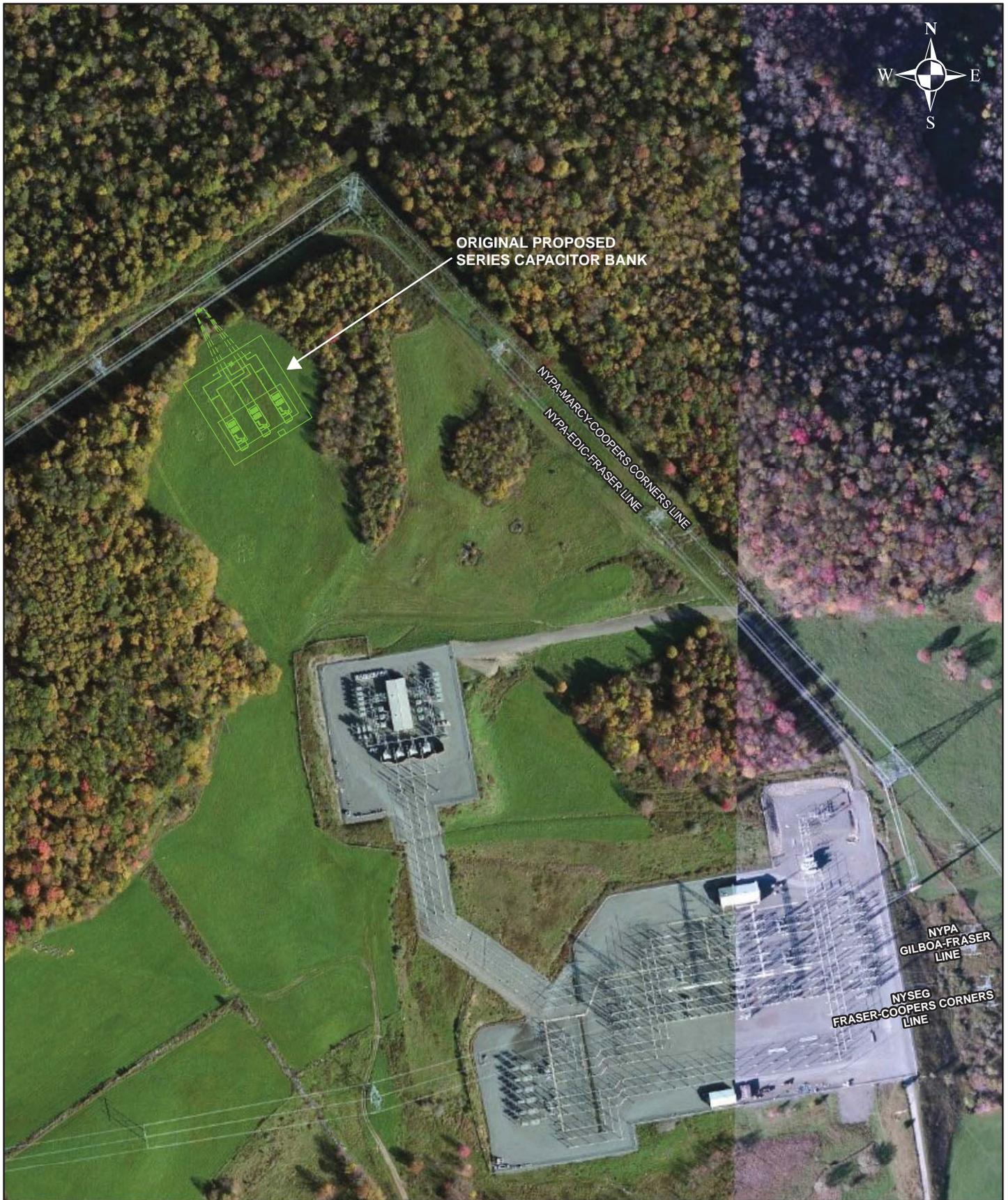
New York Power Authority

Figure 2
General Overview
Parcel Ownership

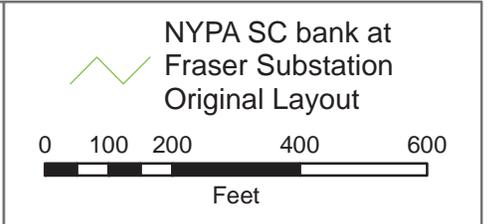
NYPA SC banks at Fraser Substation

Parcel Ownership





New York Power Authority
 Figure 3
 General Overview Proposed
 NYPA Series Compensation Bank
 Original Layout



Attachment B

Wetland Investigation



May 23, 2014

Mr. Jeff Geller
Project Development & Licensing
New York Power Authority

Subject: Wetlands Presence/Absence Survey
Fraser Substation, Delhi, New York

Dear Mr. Geller:

The following letter report presents the results of a wetlands presence/absence survey that was conducted for the Fraser Substation, located in Delhi, New York on May 13, 2014. The limits of the survey area (Site) are presented on Figure 1, Site Location Map. The Site included approximately 13.95 acres and consisted of upland deciduous forested areas, a maintained electric transmission line corridor and active agricultural hay fields. Freshwater wetlands or surface water bodies were not identified within the Site limits. Select site photographs of the survey area are provided with this letter report as Attachment 1.

The presence/absence survey consisted of two steps, 1) desktop review of New York State Department of Environmental Conservation (NYSDEC) and U.S. Fish and Wildlife (USFWS) National Wetland Inventory (NWI) wetland maps and 2) on-site field investigation of the survey area to determine if regulated wetlands or surface water bodies occurred at the Site.

Based on a review of NYSDEC and NWI wetland maps, there are no mapped wetlands on or contiguous to the Site. NYSDEC Classification (Class) C streams are located approximately 0.35 mile to the southeast and 0.18 mile to the north of the Site. Class C streams support fisheries, are suitable for non-contact activities, and are regulated by the State. The closest mapped wetlands to the Site include a palustrine emergent (PEM) wetland approximately 0.33 mile to the southeast and a palustrine scrub shrub (PSS) wetland approximately 0.34 mile to the northeast. The locations of the above referenced features in relation to the Site are provided as Figure 2, Mapped and Observed Wetlands.

During the May 13, 2014 investigation, the Site included approximately 4.37 acres of upland deciduous forest, 4.22 acres of maintained electric transmission line corridor, and 5.36 acres of active agricultural hay fields. Upland forested areas occurred in the northwestern portion of the Site and extend south through the center of the Site. A small pocket of upland forest also occurred in the southeast corner of the Site. The forest in the northwest portion of the Site was a mature stand with most tree species being greater than 12 inches diameter at breast height (dbh). Percent cover in this area included approximately

Tetra Tech, Inc.

1000 The American Road, Morris Plains, NJ 07950
Tel 973.630.8000 Fax 973.630.8025 www.tetrattech.com

85 percent tree cover, 10 percent shrub cover and 80 percent herbaceous cover. Dominant species included sugar maple (*Acer saccharum*) and black cherry (*Prunus serotina*) in the tree and shrub layers and white clintonia (*Clintonia umbellulata*) in the herbaceous stratum. Soils in this area included 20 plus inches of dark brown loam.

The forested areas in the center and southeast portion of the Site were sub-mature with most of the tree species being approximately eight (8) inches dbh or less. The percent cover in these forested areas was approximately 75 percent tree, 10 percent shrub and between 20 percent and 65 percent herbaceous. The tree and shrub layers were dominated by sugar maple, black cherry and white ash (*Fraxinus americana*). Sweet cherry (*Prunus avium*), bush honeysuckle (*Lonicera* sp.) and striped maple (*Acer pensylvanicum*) also occurred in the shrub layer as sub-dominants. The herbaceous layer was dominated by white clintonia, trout lily (*Erythronium americanum*) and spring beauty (*Claytonia virginica*). Soils in these areas included three (3) inches of dark brown silty clay loam over 17 plus inches of brown silty clay.

The maintained electric transmission corridor was dominated by highbush blackberry (*Rubus allegheniensis*), bush honeysuckle, and elderberry (*Sambucus* sp.) in the shrub layer and white clintonia and trout lily in the herbaceous layer. The percent cover of the shrub layer was estimated at 75 percent and the percent cover of the herbaceous layer was estimated at 10 percent. Soils in this area were reddish in color, derived from exposed shale. The active agricultural hay fields were dominated by timothy (*Phleum pratense*) and unidentified grasses. Dandelions (*Taraxacum officinale*), bedstraw (*Galium* sp.), strawberry (*Fragaria* sp.) and yarrow (*Achillea millefolium*) were also observed as sub-dominants. Percent cover was estimated at 95 percent. Soils included 20 plus inches of brown loam to clay loam.

A PEM wetland was observed approximately 0.03 mile (164 feet) to the southeast of the Site. The boundaries of the wetland were not field delineated as the feature occurred outside of the survey area. The approximate boundaries of this feature were derived through field observations and a review of aerial photography. The location and approximate boundary of this feature are presented on Figure 2, Mapped and Observed Wetlands. The referenced wetland was dominated by soft rush (*Juncus effusus*), sedges (*Carex* sp.) and unidentified grasses. Soils in this area were saturated and the water table was identified at eight (8) inches below the ground surface. Oxidized rhizospheres were also observed in the upper horizon. Based on topography, surface water enters the wetland area from the north through overland sheet flow and then settles in a depressional area that supports the referenced wetland. Soils in this area consisted of a dark grayish brown silty clay over a dark yellowish brown clay. This wetland complex is loosely connected through ephemeral drainages to the NYSDEC stream to the south of the Site; and therefore, would probably be considered a regulated feature by the U.S. Army Corps of Engineers (USACE). Disturbances to this feature should be avoided.

In summation, freshwater wetlands or surface water bodies were not identified within the survey area. One wetland was identified approximately 164 feet to the southeast of the Site. If impacts to this feature cannot be avoided, a formal delineation should be conducted and necessary permit(s) obtained.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Delahunty".

Richard Delahunty

Project Manager, Tetra Tech, Inc.



Service Layer Credits; Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Legend
[Black Polygon] Survey Area Limits

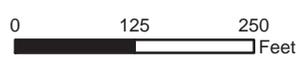


FIGURE 1

Site Location Map

Delaware County, New York



Service Layer Credits; Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
 Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Legend

- NYSDEC Stream
- Survey Area Limits
- NWI Wetland
- Field Observed Wetland (approx. boundary)

0 125 250 500 750 1,000 Feet

FIGURE 2

Mapped and Observed Wetlands

Delaware County, New York

Attachment 1
Select Site Photographs



Photograph 1 – Facing west at mature forest in northwest portion of the Site.



Photograph 2 – Facing west at sub-mature forest in central portion of the Site.

Attachment 1
Select Site Photographs



Photograph 3 – Facing northeast at sub-mature forest in southeast portion of the Site.



Photograph 4 – Facing northeast at maintained electric transmission corridor along the northern portion of the Site.

Attachment 1
Select Site Photographs



Photograph 5 – Facing north at active hay field in western portion of the Site.



Photograph 6 – Facing north at PEM wetland to south of Site.

Attachment C

Revised Schedule

PSC submittal and approval schedule for NYPA MSSC amendment application – supplemental filing
June 27, 2014

Task #	Task	Schedule
1	EPC bid package issued	March 21, 2014
2	Pre-bid meeting and on-site walk downs	April 8-9, 2014
3	EPC Bid extension and received	June 25, 2014
4	NYPA submits supplemental filing to PSC	June 30, 2014
5	EPC Bids reviewed and recommended award	July 31, 2014
6	PSC approval of NYPA amendment	August 14 or September 4, 2014
7	NYPA Trustee Authorization & Award contract	September 30, 2014
8	EPC contractor submits estimated noise values from SC banks	November 3, 2014
9	NYPA and NYSEG review noise analysis	November 17, 2014
10	NYPA submits noise results to PSC with either a statement of the requirements for a noise mitigation plan or no noise mitigation required	November 19, 2014
11	EPC contractor submits plan and profile drawings of final design	January 5, 2015
12	NYPA and NYSEG review of final design	January 19, 2015
13	NYPA submits plan and profiles of final design in EM&CP for PSC approval	January 26, 2015
14	PSC approves EM&CP for plan and profiles	April 20, 2015
15	EPC contractor begins SC bank fabrication	April 20, 2015
16	EPC contractor submits SWPPP to NYPA and NYSEG to review	April 20, 2015
17	NYPA submits SWPPP to PSC for approval	April 30, 2015
18	PSC approves SWPPP	May 29, 2015
19	EPC contractor submits Maintenance of Protection and Traffic Control Plan	April 1, 2015
20	NYPA and NYSEG review Maintenance of Protection and Traffic Control Plan	April 15, 2015
21	NYPA submits Maintenance of Protection and Traffic Control Plan to PSC for approval	May 1, 2015
22	PSC approves Maintenance of Protection and Traffic Control Plan	June 1, 2015
23	Construction Contractor mobilizes on-site	July 1, 2015
24	Civil work begins	July 10, 2015
25	Commercial Operation Date	June 30, 2016

Note: These dates may be updated once the EPC contractor has been chosen.