

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

Case 22-E-0204 - Petition of Heritage Wind, LLC for a  
Certificate of Public Convenience and Necessity  
Pursuant to Public Service Law Section 68 and  
for an Order Granting Lightened Regulation.

NOTICE OF PUBLIC STATEMENT HEARINGS  
AND PROCEDURAL CONFERENCE

(Issued June 22, 2022)

Comments are requested concerning a petition filed by Heritage Wind, LLC (Heritage), seeking a Certificate of Public Convenience and Necessity (CPCN) from the Public Service Commission (Commission), pursuant to Section 68 of the Public Service Law. If issued, the CPCN would authorize Heritage to construct, own, and operate a proposed major renewable wind electric generating facility called the Heritage Wind Project (the Project) in the Town of Barre, Orleans County, New York. Construction and operation of the Project would be subject to the terms and conditions of the Siting Permit for a Major Renewable Energy Facility issued by the Office of Renewable Energy Siting on January 13, 2022.

Heritage's petition also asks that the Commission find and determine that Heritage is entitled to a lightened regulatory regime as a wholesale electric generator.

The scope of the Commission's review of the Section 68 petition will not duplicate the issues that were previously considered and decided by the Office of Renewable Energy Siting.

**PLEASE TAKE NOTICE** that a virtual public statement hearing will be held before Administrative Law Judge (ALJ) Ashley Moreno on:

**DATE:** Thursday, July 14, 2022  
**TIME:** 5:00 p.m.

Electronic Access: [www.webex.com](http://www.webex.com)  
Event Number: 2336 884 1952  
Password: July14-5:00PM

Phone-Only Access: 518-549-0500  
Access Code: 2336 884 1952

Those wishing to comment on any aspect of this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearing. **Any person wishing to provide a public statement on the record at the hearing must pre-register to do so by 3:00 p.m. on Wednesday, July 13, 2022.**

**To register electronically:** Participants who would like to provide a statement and will log in to the hearing electronically may register to do so by visiting [www.webex.com](http://www.webex.com) by the date and time indicated above, clicking "Join" at the top right-hand corner of the screen, inputting the event number, and providing all requested information.

When logging in to the hearing on the appropriate date and time, participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require that participants enter their phone numbers.

**To register by phone:** Any participant who is not able to log in to the hearing electronically may participate by phone. Call-in participants wishing to make a statement at the hearing must register to do so in advance by calling **1-800-342-3330**, where they should follow prompts to the hearing and

provide the following information: first and last name, address, and phone number.

On the date and time of the hearing, all call-in users should dial **518-549-0500** and enter the access code listed above.

All participants will be muted upon their entry into the hearing. The ALJ will call each person who has requested to provide a statement to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Reasonable time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the public statement hearing will be made for inclusion in the record of this case.

**To listen to the hearing:** Any person who would like to listen to the hearing but would not like to make a statement may access the hearing without registering. The hearing will be livestreamed on the internet and available for viewing on the Department of Public Service's YouTube channel on the date and time listed above. To access the YouTube channel, visit the Department's website, [www.dps.ny.gov](http://www.dps.ny.gov), and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearing by phone by calling the phone access number (**518-549-0500**) and entering the applicable access code.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at 518-474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are

encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.

**Other Ways to Comment**

Those who cannot attend or prefer not to present comments at the public statement hearing, there are several other ways to provide your comments. Comments should refer to Case "22-E-0204." **Although comments will be accepted throughout the pendency of this proceeding, they are requested by July 15, 2022.**

**Internet or Mail:** Go to [www.dps.ny.gov](http://www.dps.ny.gov), click on "Search" and enter "22-E-0204" in the "Search by Case Number" field, and then click on "Post Comments" at the top right of the page.

Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.<sup>1</sup> All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case number, as described above, and clicking on the "Public Comments" tab.

**Toll-Free Opinion Line:** Individuals may submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This line is set up to receive in-state calls 24-hours a day. These calls are not transcribed verbatim, but a summary is provided to the Commission.

**PLEASE TAKE FURTHER NOTICE** that a procedural conference will be held immediately following the Public Statement Hearing, as part of the same teleconference.

The principal purposes of the procedural conference are to identify any potential parties and provide interested

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<sup>1</sup> Filing electronically is strongly encouraged.

persons an opportunity to present and explain any proposals regarding the procedures they believe should be followed in this case by the ALJ and Commission including, but not limited to, whether any issues of fact presented by the petition or public comments warrant an evidentiary hearing. Other procedural issues also may be addressed.

(SIGNED)

MICHELLE L. PHILLIPS  
Secretary