

**BEFORE THE
STATE OF NEW YORK PUBLIC SERVICE COMMISSION**

Application of Niagara Mohawk Power Corporation)
d/b/a/ National Grid to Amend the Certificate of)
Environmental Compatibility and Public Need)
issued to New York State Electric and Gas) Case No. 13-T-0077
Corporation and Niagara Mohawk Power)
Corporation regarding Homer City to Stolle Road)
345 kV Transmission Facility in Case 26520)

APPLICATION

Pursuant to Public Service Law (“PSL”) Section 122(4), Niagara Mohawk Power Corporation d/b/a National Grid (“National Grid” or the “Applicant”) hereby petitions the New York State Public Service Commission (“Commission”) to amend the certificate of environmental compatibility and public need (“Certificate”) issued in the Commission’s Opinion No. 75-38 in Case 26520 (issued on December 15, 1975), to authorize Niagara Mohawk Power Corporation d/b/a/ National Grid (“Applicant” or “National Grid”) to construct and operate a new 345kV/115kV transmission station (“Five Mile Road Station” or “Station”) and six new transmission loops to connect three existing transmission lines to the Station (collectively the “Five Mile Road Station Project” or “Project”).

For the reasons set forth herein, National Grid requests that the Commission amend the Certificate previously issued to New York State Electric and Gas Corporation (“NYSEG”) and Niagara Mohawk Power Corporation (“Niagara Mohawk”) by authorizing the construction and operation of i) a new 345kV/115kV transmission station; ii) two new 345kV transmission loops, each approximately 250 feet long, to extend from the Station to the National Grid-owned portion of the existing 345 kV Homer City – Stolle Road Line 37; and iii) four new 115 kV loop

connections, each approximately 650 feet long, to extend from the new Station to two existing National Grid 115 kV transmission lines. The Station is proposed to be located on an 18.9-acre parcel located at 4580 Five Mile Road (County Route 19) in the Town of Humphrey, Cattaraugus County, New York. In support of its Application, National Grid submits the attached exhibits and testimony.

A Public Notice was published on July 18, 2013 and July 25, 2013 in the *Salamanca Press*, and on July 17, 2013 and July 24, 2013 in the *Olean Times Herald* in accordance with Sections 122(2) and 122(4) of the PSL and 16 NYCRR §85-2.10(c). Affidavits of publication are included in this Application.

BACKGROUND

On November 1, 1973, NYSEG and Niagara Mohawk filed an application for a certificate of environmental compatibility and public need authorizing the construction and operation of the New York State portion of a 345 kV electric transmission line from Homer City, Pennsylvania to NYSEG's Stolle Road substation in the Town of Elma ("Homer City – Stolle Road Line 37"). The Certificate was issued on December 15, 1975. National Grid now seeks to amend that Certificate to allow for the construction and operation of the Five Mile Road Station Project.

The proposed Station will be located near three existing transmission lines: the Homer City-Stolle Road Line 37; the Gardenville-Homer Hill Line 152; and the Arcade-Homer Hill Line 167. The Homer City-Stolle Road Line 37 is a 200 mile, 345kV transmission line owned in part by NYSEG and National Grid and was placed into service in 1978. National Grid owns a 37.5 mile section of the 200 mile line. National Grid's 65.5-mile Gardenville-Homer Hill Line

152, a 115kV transmission line, was constructed in 1967, and subsequently split in 2009 resulting in the addition of the Arcade-Homer Hill Line 167, which is 32.7 miles long.

DESCRIPTION OF THE PROPOSED PROJECT

Upgrades to Existing Facilities

The Project involves the rerouting of the Homer City-Stolle Road Line 37 into and out of the Station by attaching to two 345kV terminal structures. The two 115 kV transmission lines, the Arcade-Homer Hill Line 167 and Gardenville-Homer Hill Line 152, will also be rerouted into the Station. A total of six new transmission loops, two per line, will connect the existing transmission lines into the proposed Station. The two transmission loops for the 345 kV line will be approximately 250 feet in length and will be installed on two new 3-pole 345 kV structures, Structure 171 1/2 and Structure 172. The transmission loops will extend from the Station across Five Mile Road to the 345 kV line located within a utility easement east of Five Mile Road in the Town of Hinsdale. The four transmission loops for the 115 kV lines will be installed on four new single-circuit structures identified as Structures 546A, 546B, 547A and 547B, and two individual double circuit structures identified as Structures 546-1 and 547-1. The 115 kV lines are located within a utility easement west of Five Mile Road and adjacent to the proposed Station within the Town of Humphrey. Exhibit E-1 provides a detailed description of the transmission line work. Exhibit E-2 provides a full list and description of equipment upgrades at existing terminal and substation locations.

Upon completion of the Station, the existing lines will be renumbered as: (1) 115kV Transmission Line 167: Arcade – Five Mile Road; (2) 115kV Transmission Line 152: Gardenville– Five Mile Road; (3) 115kV Transmission Line 169: Five Mile Road – Homer Hill; (4) 115kV Transmission Line 170: Five Mile Road – Homer Hill; (5) 345kV Transmission Line

29: Stolle Road – Five Mile Road; and (6) 345kV Transmission Line 37: Five Mile Road – Homer Hill

Proposed Station

The Station, as proposed, will consist of a 345 kV section and a 115 kV section within a fenced-in area, approximately 4.4 acres, on a parcel owned by National Grid. The Station will include electrical transformers, conductors, breakers, switches, and instrument transformers mounted on steel structures, a control house containing protective relaying, double-circuit power systems, remote monitoring and communication systems. The 345 kV and 115 kV terminal structures and the 115kV intermediate strain bus support structures will also be within the fence line. The 345 kV section will feed the power transformer and the 115 kV section, which will consist of three bays of a breaker and a half bus with three breakers, two of which will feed the 115 kV lines. Directly to the south of the control house, within the fence line, will be a microwave tower for communication purposes.

A stone-covered access road and parking area will be constructed from Five Mile Road to the southern side of the Station. The access road will be approximately 200 by 20 feet and the parking area will be 300 by 60 feet. A landscaping berm will provide screening along the south boundary and will be planted with assorted shrubs and trees. Other areas will be seeded to provide stabilization of the soil.

PROJECT LOCATION

The proposed Station will be constructed on a National Grid-owned 18.9-acre parcel (Tax IDs 76.001-1-6.3 and 76.001-1-6.4) located at 4580 Five Mile Road (county Route 19) in the Town of Humphrey, Cattaraugus County, New York. The parcel is bounded by Five Mile Road to the east and south, farmlands to the west and wetlands and low brush to the north. Access to

the proposed Station will be from a new access road off of Five Mile Road (County Route 19). National Grid owns the property required for the proposed Station, and the transmission lines are located within existing utility easements. Easements will be required for the proposed transmission crossing of Five Mile Road to connect the 345 kV line located in the Town of Hinsdale to the east to the proposed Station. The 115 kV lines are located adjacent to the proposed Station west of Five Mile Road in the Town of Humphrey.

DESCRIPTION OF REASONABLE ALTERNATIVE ROUTES AND TECHNOLOGY

Exhibit 3 of this Application provides a description and evaluation of alternatives, including a description of the comparative merits and detriments of each alternative and an explanation of why the proposed location is best suited for the Project. National Grid compared three potential sites for the location of the Station considering numerous factors such as soils, number of residences, visual impacts, cost, property availability, current land use, construction power, zoning restrictions, expandability, telecommunications, flooding, noise impacts, traffic impacts, accessibility, constructability and schedule. The evaluation revealed that the Five Mile Road site had advantages in scheduling, constructability, cost, and accessibility. National Grid also considered alternative methods to fulfill energy requirements.

SUMMARY OF ENVIRONMENTAL STUDIES AND ENVIRONMENTAL IMPACT

The environmental studies and environmental impact assessment for National Grid were conducted by Fisher Associates. Exhibit 4 presents the findings of these studies, which included Land Use, Visual Resources, Cultural Resources, Terrestrial Ecology and Wetlands; Topography and Soils; Water Resources and Noise. The Project is not expected to impact geologic features, minerals, cultural resources, wetlands or water quality. The increase in noise levels will be below New York State Department of Environmental Conservation noise impact guidelines.

Although the Project will result in the conversion of agricultural land, it will support continued agricultural operations in the region by addressing intermittent power issues. The Project will also be constructed adjacent to an existing transmission right-of-way and will employ protective measures to avoid or minimize environmental impacts, including minimizing the Station's impact on views. Accordingly, the analysis demonstrates that the Project as proposed represents the minimum adverse environmental impact.

NEED FOR THE FACILITY

Exhibit E-4 provides a description of the need for the proposed Project. The Project is one of the most critical of several planned reinforcements to address the present and long-range energy needs of the Southwest Region, which encompasses National Grid's electric system in Chautauqua and Cattaraugus counties and portions of Allegany and Erie counties. Based on a ten-year study of the system, National Grid determined that low voltages exist for many different contingency conditions, that some of the low voltage conditions could develop today and that the number and severity of low voltage conditions would increase with any load growth in the area. Voltages were found to be below the 90% low limit indicated in National Grid's Transmission Planning Criteria, which could result in damage to customer or utility-owned equipment. The Project is needed to address voltages far below the acceptable levels indicated in National Grid's planning criteria during contingency conditions, which have been further exacerbated by the closure of generation at Dunkirk. The Project would also provide the economic benefit of reducing dependence on generation within the Southwest Region and the need to call generation into service Out of Merit order.

OTHER RELEVANT INFORMATION

Exhibit 1 of the Application provides the name, address and phone number of National Grid; the principal officer name and address for National Grid; and the names and addresses of those persons upon whom documents and correspondence are to be served.

Exhibit 7 of the Application provides information on relevant local ordinances and National Grid requests that the Commission grant waivers of specified provisions of those local ordinances that National Grid believes would be unduly restrictive if applied to the Project.

CONCLUSION

For the reasons set forth above, National Grid respectfully requests that the Commission:

- i. issue an order amending the Certificate issued by the Commission in Case 26520 to authorize National Grid to (a) construct and operate a new 345kV/115kV transmission station, and (b) construct and operate six new transmission loops to connect the Station with three existing transmission lines;
- ii. grant a waiver of those Commission's rules and regulations specified in the Motion for Waivers attached to this Application;
- iii. grant a waiver of those local municipal ordinances and laws specified in Exhibit 7 pursuant to Section 126 1(f) and 16 N.Y.C.R.R. § 86-8 of the Public Service Law; and
- iv. grant any other and further authorizations, consents, permissions, approvals, waivers and permits, as necessary, for the construction, operation and maintenance of the Project described herein.

Dated: July 30, 2013
Hicksville, New York

Respectfully submitted,

/s/ Lisa M. Zafonte

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**NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID'S
MOTION FOR WAIVERS OF APPLICATION REQUIREMENTS**

Pursuant to 16 NYCRR § 85-2.4, and as part of its filing of an Application to Amend the Certificate of Environmental Compatibility and Public Need issued to New York State Electric and Gas Corporation and Niagara Mohawk Power Corporation regarding Homer City to Stolle Road 345 kV Transmission Facility in Case 26520, Niagara Mohawk Power Corporation d/b/a National Grid (“National Grid” or the “Applicant”) respectfully requests that the Commission waive or modify for this Application the following sections of the Commission’s regulations on the information to be included in an application filed pursuant to Article VII of the Public Service Law Article.

I. 16 NYCRR §86.3(a)(1): Submit detailed maps, drawings and explanations showing the right-of-way for each proposed facility. Such maps shall include New York State Department of Transportation maps (1:24,000 topographic edition).

Applicant requests that the Commission waive the requirements of 16 NYCRR §86.3(a)(1)(i) and (ii) that Applicant submit New York State Department of Transportation (“NYSDOT”) 1:24,000 scale maps showing (i) the proposed right-of-way covering an area of at least five miles on either side of the proposed facility location; and (ii) showing where the construction or reconstruction of the proposed facility would necessitate permanent clearing or other changes to

the topography, vegetation or man-made structures. Applicant requests that the Commission allow Applicant to provide USGS 24k Topographical Maps showing the area of at least five miles on either side of the proposed facility in satisfaction of the requirements of §86.3(a)(1)(i) and (ii). NYSDOT maps at a scale of 1:24,000 are no longer available, and the maps, drawings and information, included in the application as Figure 2-1, effectively present the required information. Also, as set forth in the Application, the Proposed Project is located entirely within the existing transmission rights-of-ways and no additional permanent rights will be required. Moreover, as stated in Section 2.2 of Exhibit 2, given the existing cleared areas and historic agricultural use within the Project parcel and vicinity, extensive permanent clearing will not be required.

II. 16 NYCRR §86.3(a)(2): Submit detailed NYSDOT maps (scale 1:250,000) showing the Relationship of the proposed facility to the Applicant’s overall system

The Applicant requests a waiver of the requirement of 16 NYCRR §86.3(a)(2) that Applicant submit NYSDOT 1:250,000 scale maps showing the relationship of the proposed facility to the Applicant’s overall system. Such maps do not appear to be available. Instead, Applicant proposes that Figure 2-2 of the Application effectively shows the proposed facility in conjunction with other components of the existing systems of the Applicant, and others, and provides the information required by 16 NYCRR §86.3(a)(2).

III. 16 NYCRR §86.4(b): The Applicant shall, on NYSDOT maps, indicate any alternative route considered.

Applicant requests a waiver of the requirement of 16 NYCRR §86.4(b) that Applicant indicate on NYSDOT maps any alternative sites Applicant has considered. Figures included in Exhibit 3 effectively show the alternative locations for the proposed 345kV/115kV transmission based on USGS 24 k Topographical Maps and aerial photography based on Aerial Imagery Source taken

in April 2011. These aerial photographs and the topographical maps better represent existing conditions in the affected areas than the requested NYSDOT maps.

IV. 16 NYCRR §88.4(a)(4): Provide appropriate system studies, showing expected flows on the line under normal, peak and emergency conditions, including the system reliability impact study forwarded by the Transmission Planning Advisory Subcommittee for approval by the Operating Committee of the New York Independent System Operator, which shows effects on stability of the interconnected system.

Applicant requests the Commission modifies the requirements of 16 NYCRR §88.4(a)(4) that Applicant provide a System Reliability Impacts Study (“SRIS”) with the Application. A System Impact Study (“SIS”) - rather than the SRIS that the Commission’s Rule specifies - is the type of study that will be required for a transmission project of the type involved in this Application. A SIS for the “Western New York Reinforcement Project” (New York Independent System Operator (“NYISO”) Queue Position #333) was performed in cooperation with the NYISO and was submitted to the NYISO in May 2013. The SIS is expected to be approved by the NYISO’s Operating Committee in the near future. Applicant will forward the approval by the Operating Committee as soon as it is available and requests that the Commission does not issue a deficiency because this Application does not readily contain the SIS Approval letter.

Lastly, Exhibit 7 of the Application provides information on relevant local ordinances and the Applicant requests that the Commission grant a waiver of those local municipal ordinances and laws specified in Exhibit 7 pursuant to Section 126 1(f) and 16 NYCRR §86-8 of the Public Service Law.

Respectfully submitted,

/s/ Lisa M. Zafonte

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Senior Counsel

*Niagara Mohawk Power Corporation d/b/a
National Grid*

Date: July 30, 2013