

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

Case 10-E-0501 - Petition of CPV Valley, LLC for a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law, Approval of Financing Pursuant to Section 69 and for Approval of a Lightened Regulatory Regime.

**NOTICE OF PUBLIC STATEMENT HEARING AND PROCEDURAL CONFERENCE**

(Issued January 24, 2014)

The New York State Public Service Commission (Commission) seeks public comment on a request by CPV Valley, LLC for approval by the Commission of a certificate of authority for CPV Valley, LLC to own, operate and begin construction of electric plant as an electric corporation regulated by the Commission.

CPV Valley, LLC is a limited liability company formed under the laws of the State of Delaware. CPV Valley, LLC is proposing to own, operate and construct the CPV Valley Energy Center, a 630 MW electric generating facility on a 122 acre site in the Town of Wawayanda, New York. The facility will sell its electrical output exclusively at the wholesale level and will not be a retail provider. CPV Valley, LLC has filed with the Commission a petition dated October 12, 2010, and supplemented on November 19, 2013, seeking such approval and certificate of authority. The project has been reviewed under the State Environmental Quality Review Act by the Planning Board of the Town of Wawayanda, as Lead Agency. The Lead Agency accepted a Final Environmental Impact Statement on February 8, 2012, and adopted a Findings Statement on May 23, 2012.

Under New York State Public Service Law Section 68, the Commission must consider whether granting such authority is necessary or convenient for the public service. In that regard, the Commission must consider whether the charter of such corporation is adequate and whether CPV Valley, LLC has received any required consents of the proper municipal authorities.

The Commission may adopt or reject the petition in whole or in part, or adopt changes not proposed by petitioner. An Administrative Law Judge will be presiding over the gathering of public comments and all evidence relating to the proposal.

**TAKE NOTICE** that a public statement hearing and procedural conference will be held as follows:

Date: Thursday, February 13, 2014  
Time: 6:30 p.m.  
Location: Orange County Community College (SUNY Orange)  
Library / Gilman Center  
Room 130  
115 South Street  
Middletown, New York 10940

Members of the New York State Department of Public Service Staff will be available to answer questions and provide additional information about the case at the hearing. During the public statement hearing, members of the public will have the opportunity to present comments related to issues relevant to the Commission's consideration of the Petition before an Administrative Law Judge. During the procedural conference, parties to the proceeding will address matters related to any further process steps and scheduling necessary to complete the record of the proceeding.

It is not necessary to be present at the start of the hearing, to make an appointment in advance, or to present written material in order to speak at the hearing. Persons will be called to speak after completing a request card. The hearing will remain open and will continue until everyone wishing to speak has been heard or other reasonable arrangements have been made. The procedural conference will commence upon the closing of the hearing. A verbatim transcript of the hearing and procedural conference will be made for inclusion in the record of these proceedings.

Disabled persons requiring special accommodations may 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 Commission at 1-800-342-3377 for free language assistance services regarding this notice.

**Other Ways to Comment**

For those who cannot attend or prefer not to speak at a public statement hearing, there are several other ways to provide your comments to the Commission. Comments should refer to "Case 10-E-0501 - CPV Valley, LLC."

**Via the Internet or Mail:** The public may submit comments electronically to Hon. Kathleen H. Burgess, Secretary, at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or by mail or delivery to Secretary Burgess at the New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. Comments may also be entered directly into the case file by locating the case via the home page of the Commission's website, [www.dps.ny.gov](http://www.dps.ny.gov), by clicking on "Search," and entering 10-E-0501 in the "Search by Case Number" field. In the open case, enter comments in the "Post Comments" located at the top of the page. Comments should refer to Case 10-E-0501. Many libraries offer free internet service.

**Toll-Free Opinion Line:** Individuals may choose to 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 but a summary is provided to the administrative law judge who will report to the Commission.

All comments by these methods must be received by the Secretary no later than February 14, 2014. All such comments, together with all statements transcribed at the public statement hearing, will become part of the record considered by the Commission. Written comments may be read on the Web site by searching Case 10-E-0501 and clicking on the "Public Comments" tab.

The matters described above are being considered in the following case:

Case 10-E-0501 - Petition of CPV Valley, LLC for a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law, Approval of Financing Pursuant to Section 69 and for Approval of a Lightened Regulatory Regime.

**KATHLEEN H. BURGESS  
SECRETARY**