

New York State Electric & Gas Corporation

Jennison Transmission Solution Project

Exhibit 8

Other Pending Filings

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EXHIBIT 8: OTHER PENDING FILINGS

The Applicant¹ does not have another application or filing concerning the Project pending before the Commission or any other agency. Permits and approvals that the Applicant intends to seek in connection with the Project, other than the Article VII Certificate, are summarized below.

8.1 New York State Department of Transportation

8.1.1 Utility Work Permit

The NYSDOT requires that a UWP be obtained to install utilities within or adjacent to State highways. Following Commission approval of the final design as part of the EM&CP, the Applicant will obtain UWPs from NYSDOT pursuant to 17 NYCRR Part 131 for the construction and operation of the Project within or adjacent to State highway rights-of-way, subject to the Commission's continuing jurisdiction.

8.1.2 Fiber Optic Permit

The NYSDOT requires that a Fiber Optic Permit (Perm 75) be obtained by entities seeking to install fiber optic facilities in the State's ROW. Following Commission approval of the final design as part of the EM&CP, the Applicant will obtain Perm 75 from NYSDOT for the installation of fiber optic line within State's ROW, subject to the Commission's continuing jurisdiction.

8.2 New York State Department of Environmental Conservation – State Pollutant Discharge Elimination System Permit for Construction Stormwater

Since Project construction activities will entail soil disturbances of greater than one acre of land, the Applicant will seek coverage under the NYSDEC's SPDES GP for Stormwater Discharges from Construction Activities (GP-0-20-001) or any applicable GP renewal by filing an NOI prior to the commencement of Project construction.

¹ For clarity and consistency, the Application includes a Master Glossary of Terms that defines terms and acronyms used throughout the Application.

One of the requirements of the SPDES Permit is the development of a SWPPP. The Project's EM&CP and SWPPP will address stormwater management and temporary soil erosion and sediment controls, as well as spill-prevention and control measures. Upon completion of Project construction, the required NOT of the SPDES GP coverage will be provided to the NYSDEC.

8.3 U.S. Army Corps of Engineers – Section 404 Permit

All wetlands (regardless of their size) that meet the federal criteria for Waters of the United States are regulated under Section 404 of the CWA by the USACE. The Project will cross wetland areas that are regulated by the USACE. The temporary wetland disturbance associated with construction activities for the Project is likely to be authorized by the USACE Buffalo District under NWP 57 (Electric Line Activities). Other similar projects have been authorized under NWP 33 (Temporary Construction). Consultations with the USACE Buffalo District will determine the applicable NWP, and any required documentation or Pre-Construction Notification will be provided in conjunction with the filing of the EM&CP. Before USACE can issue its permit, it will require the issuance of a CWA Section 401 Water Quality Certification by the appropriate state agency. The Applicant intends to seek a Section 401 Water Quality Certification from the Commission.

8.4 U.S. Army Corps of Engineers – Section 10 Permit

One water course crossed by the Project, the Susquehanna River, is identified as a navigable water of the United States regulated under the Rivers and Harbors Act of 1899 (USACE 2009). For water bodies that have been designated as navigable waters of the United States, any structure or work located above any such water body is considered to have an impact on the navigable capacity of that water body and requires a Section 10 permit from the USACE.

Consultations with the USACE Buffalo/New York Districts will determine the applicable clearance requirements for the Susquehanna River crossing, and any required documentation will be provided in conjunction with the filing of the EM&CP.

8.5 Federal Aviation Administration – Notice of Proposed Construction or Alteration

Portions of the Project will be in proximity to the Sidney Municipal Airport. As appropriate, the Applicant will file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) with the FAA, along with pertinent final design drawings to confirm that Project structures and activities in the vicinity of any air navigation facility will not impact air navigation or airport operations.

8.6 Filings of Others

The Applicant is unaware of any other entities having an application or filing pending with the Commission, or with any other state or federal governmental department or agency, which concerns the subject matter of this Application.

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