

**PROPOSED RULE MAKING**  
**NO HEARING(S) SCHEDULED**

**Waiver of Article VII Requirements**

**I.D. No.** PSC-\_\_\_\_\_

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

**Proposed Action:** The Commission is considering a motion filed by New York State Electric & Gas Corporation for waiver of a provision of 16 NYCRR regarding requirements for applications under PSL Article VII for Certificates of Environmental Compatibility and Public Need.

**Statutory authority:** Public Service Law, sections 4 and 122

**Subject:** Waiver of Article VII requirements.

**Purpose:** To consider a waiver of a certain regulation relating to the content of an application for transmission facility siting.

**Substance of proposed rule:** The Public Service Commission is considering a motion filed by New York State Electric & Corporation (Applicant) on December 4, 2024 for waiver of a certain requirement for the content of an application (Application) for authority to construct and operate electric transmission facilities pursuant to Public Service Law Article VII.

The Applicant proposes to construct, operate, and maintain the Jennison Transmission Solution Project (Project), in which the Applicant will rebuild and relocate the Jennison Substation in the Town of Bainbridge, Chenango County, including re-routing several transmission and sub-transmission lines from the substation's present location to its new location. The major features of the Project also include the rebuilding of existing Line 946 and of most of existing Line 949. Line 946 is a 115kV line which extends approximately 21.4 miles between the existing Jennison Substation and the East Norwich Substation in the Town of Norwich, Chenango County; a 6.6-mile portion of Line 946 that is being rebuilt will be renamed as Line 734. Line 949 is a 115kV line which extends between the existing Jennison Substation and the Applicant's Fraser Substation; the Applicant proposes to rebuild approximately 25.4 miles of the line between the existing Jennison Substation and the west side of existing Structure 949/183 in the Town of Hamden, Delaware County. The total length of new 115 kV transmission lines that will be constructed to rebuild and relocate existing lines in the Project is approximately 47.5 miles.

As more fully addressed in Exhibit 2 of the Application, the rebuilding and relocation of the Jennison Substation and the rebuilding of transmission and sub-transmission lines associated with the Project will take place primarily on existing right-of-way (ROW) with some new ROW required along Proposed Lines 734 and 946 and various substation relocation-related portions of the Project, as well as on off-ROW work areas, the locations of proposed stormwater management features, and Project access roads. The Project also includes replacement of all of the conductor, insulators, and existing structures on the portions of all transmission lines being rebuilt, including existing Lines 946 and 949. Furthermore, the Project includes: installing stormwater management features; establishing one or more temporary laydown/staging areas and marshaling yards; and constructing or improving supporting access roads.

The Project is needed for the Applicant to continue to ensure reliable service and achieve the objectives of the Climate Leadership and Community Protection Act (CLCPA) in its Oneonta Division.

The Application provides a description of the various alternatives the Applicant considered to address the need for the Project. The considered alternatives include alternative substation siting locations, alternative line routes, alternative structure types, a no-action alternative, alternative transmission line technologies, and non-wires alternatives.

As part of the Article VII process, the Applicant has moved for a waiver of one regulatory requirement. Specifically, the Applicant seeks a waiver of Commission regulation 16 NYCRR § 88.4(a)(4), which requires that Exhibit E-4 of the Application include a system reliability impact study (SRIS), or system impact study (SIS), forwarded by the Transmission Planning Advisory Subcommittee for approval by the operating committee of the New York Independent System Operator (NYISO). As stated in Exhibit E-4, the Applicant performed all the necessary analyses for an SIS screening in consultation with the NYISO, and NYISO agreed that an SIS is not necessary for the Project.

The full text of the motion and the Application and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

***Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:*** \_\_\_\_\_, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) \_\_\_\_\_, email: \_\_\_\_\_@dps.ny.gov.

***Data, views or arguments may be submitted to:*** Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov.

***Public comment will be received until:*** 60 days after publication of this notice.

***Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement***

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

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