

Case 10-T-0139

Champlain-Hudson Power Express Project

Environmental Trust Governance Committee Meeting Minutes

June 18, 2020

On June 18, 2020, the Governance Committee for the Hudson River and Lake Champlain Habitat Enhancement, Restoration, and Research/Habitat Improvement Project Trust (the “Trust”) held its regularly scheduled meeting.

Pursuant to Executive Order 202.1, the meeting took place via phone and was recorded.

Attendees:

On the phone were: Certificate Holders: Bill Helmer, Josh Bagnato, Jennifer White; DPS: Heather Behnke, Andy Davis; DEC: Gregg Kenney, Heather Gierloff; DOS: Matthew Maraglio, Laura McLean; City of NY: Justin Fung; Trout Unlimited (TU): Roger Olsen; APA: Dan Kelleher; Hudson River Foundation: Jim Lodge, Clay Hiles.

Preliminary Items:

Meeting was called to order at 10:35a.m. and a quorum was confirmed.

- Minutes of the March 19, 2020 meeting were approved with the revision that APA was represented at that meeting by Dan Kelleher. **Moved by TU, Seconded by DPS, motion carried unanimously.**

Projected Timeline and Approvals Updates:

Certificate Holders reported on the status.

- On March 20, 2020, three of four proposed changes to the Certificate Conditions that were filed by Certificate Holders as part of Amendment 1 were approved by the Public Service Commission (PSC). PSC requested more information on permitting requirements in Canada before a decision could be made about the proposed changes to the fourth Certificate Condition.
- Certificate Holders filed Amendment 2 with the Public Service Commission (PSC) in early December 2019. A procedural hearing was held in early March 2020. A formal 30-day public comment period occurred in April. There was discussion of a public hearing to be held in Scotia, but that was indefinitely postponed. Certificate Holders submitted a motion for a virtual hearing, and the ALJ requested legal briefs from the parties on the hearing process. Briefs were filed on Monday, June 15, 2020. The Certificate Holder is not certain if additional process is required on Amendment 2.
- Earlier this year, Certificate Holders filed an application with the Federal Energy Regulatory Commission (FERC) to update the negotiated rate authority that allows

Certificate Holders to secure transmission agreements for capacity on the line. FERC will be issuing an open solicitation that will begin perhaps as early as June 23, 2020.

- Certificate Holders reported that they received a minor permit from the International Boundary Commission.
- Certificate Holders reported there was no change to New York Independent System Operator (NYISO) schedule for completion of the 2019 Class Year study.
- Certificate Holders are continuing outreach to towns along the proposed route by providing project updates to towns where no route modifications were proposed. Certificate Holders have received approximately five (5) or six (6) letters of approval from these towns to-date. There have been some expected delays due to the COVID-19 pandemic.
- The commercialization effort is on-going, and Certificate Holders are in the process of securing capacity on the line. Overall, interest is still significant, but has slowed somewhat due to the pandemic.
- Construction is anticipated to begin in 2021.

Next meeting date(s):

The following meeting dates are tentatively scheduled, pending DPS verification of room availability if applicable.

- September 17, 2020, 10:30am
- December 17, 2020, 10:30am

Action Items:

The action items were discussed. Certificate Holders indicated the project website has been updated.

Pending action items:

- Certificate Holders to report by email to the committee members after each TPAS meeting occurs where CHPE is material to the meeting.
- Vice-Chair to confirm room availability, as applicable, and send invitations for future meetings.
- Certificate Holders to update website with approved meeting minutes. (DONE)
- DPS to post the recording of this meeting. (DONE)

New action item:

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- Certificate Holder to update APA name on project website to NYS Adirondack Park Agency.

Meeting adjourned at 10:54a.m. Moved by DPS, seconded by DOS, motion carried unanimously.
