



## Department of Public Service

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Three Empire State Plaza, Albany, NY 12223-1350  
www.dps.ny.gov

March 22, 2023

Via Electronic E-Mail:

Laura Bomyea Darling, Esq.  
Young/Sommer LLC  
Attorneys for CHPE  
Executive Woods  
Five Palisades Drive, Suite 300  
Albany, New York 12205  
([ldarling@youngsommer.com](mailto:ldarling@youngsommer.com))

RE: CASE 10-T-0139 – Application of Champlain Hudson Power Express, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a High Voltage Direct Current Circuit from the Canadian Border to New York City.

### Notice to Proceed with Construction

Dear Ms. Darling:

The Application submitted by the Champlain Hudson Power Express, Inc (CHPE) to build a High Voltage Direct Current Circuit from the Canadian Border to New York City. This Notice to Precede (NTP) pertains to CHPE's Fort Edward Laydown Yard that was included in their Temporary Laydown Yards Environmental Management and Construction Plan (EM&CP) CHPE submitted their Temporary Laydown Yards EM&CP on November 17, 2022, and refiled the revised EM&CP on January 25, 2023, and February 3, 2023. This Notice to Proceed pertains to CHPE's petition for construction of the Fort Edward laydown yard and is not applicable to the Bethlehem and Athens yards which were also included in the Temporary Laydown Yards EM&CP. A Notice to Proceed is hereby issued for the Fort Edward laydown yard. The Temporary Laydown Yards EM&CP submitted by CHPE was approved by the New York State Public Service Commission on February 21, 2023. Ordering Clause 2 of that October 13th Order stated Ordering Clause 2 of the above-mentioned Order states:

*“The Certificate Holder shall not commence construction until it has received a “Notice to Proceed with Construction” letter sent by the Chief of Environmental Certification and Compliance of the Office of Electric, Gas and Water or by a designee.”*

Laura Bomyea Darling, Esq.  
March 22, 2023

On the date of March 22, 2023, you are hereby authorized to commence construction on the portion specified above.

If you have any questions, please contact Matthew Smith of the Environmental Certification and Compliance Staff, at (518) 402-5141 or by email at [matthew.smith@dps.ny.gov](mailto:matthew.smith@dps.ny.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Zehr", with a horizontal line extending to the right from the end of the signature.

Jason Zehr  
Chief, Environmental Certification and Compliance  
Office of Electric, Gas and Water

cc: Josh Bagnato, [josh.bagnato@transmissiondevelopers.com](mailto:josh.bagnato@transmissiondevelopers.com)  
David Albers, [dave.albers@wsp.com](mailto:dave.albers@wsp.com)  
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10-T-0139 Case File  
DPS Central File