

July 12, 2024

BY ELECTRONIC FILING

Hon. Michelle Phillips
Secretary
State of New York Public Service Commission
19th Floor
Empire State Plaza
Agency Building 3
Albany, New York 12223-1350

Re: Case 24-T-0120 - Application of Niagara Mohawk Power Corporation d/b/a National Grid for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the 345 kV Underground Transmission Service Laterals between the Expanded Clay Substation and the Micron Fabrication Areas

NOTICE OF IMPENDING SETTLEMENT NEGOTIATIONS

Dear Secretary Phillips:

On behalf of Niagara Mohawk Power Corporation d/b/a National Grid (“National Grid”) pursuant to the settlement procedures set forth in the Rules and Regulations of the Public Service Commission (“Commission”), National Grid hereby files with the Commission this Notice of Impending Settlement Negotiations (“Notice”) in the above proceeding.

National Grid intends to commence settlement negotiations in Case 24-T-0120 under Rule 3.9 of the Commission’s Rules and Regulations, codified at 16 NYCRR §3.9 (“Rule 3.9”). All parties to the above proceeding are invited to attend and participate in these settlement negotiations. The Department of Public Service, the Department of Environmental Conservation and the Department of Agriculture and Markets have already advised National Grid that they intend to participate. National Grid requests each additional party who would like to participate in these negotiations to notify the undersigned by email as soon as possible of their desire to participate and, consequently, their willingness to be bound by the settlement confidentiality requirements of clause (d) of Rule 3.9.

Any potential party who wishes to participate in these settlement negotiations must also become a party in this case. A web page with instructions for the procedures to follow to request party status can be accessed by starting on the Department of Public Service’s website (www.dps.ny.gov): click on “File Search” (located under the heading “Commission Files”), search for “24-T-0120”

in the box labeled “Search by Case Number,” and click on the button in the upper right hand corner of the page labeled “Request for Party Status” to see the instructions.

National Grid anticipates that the settlement negotiations will commence in late July 2024, and will continue thereafter until settlement is reached or an impasse is declared by the settlement parties. The parties participating in the settlement negotiations will determine the date, time and location/manner of all settlement negotiations.

The issues that may be settled include whether the project is needed and in the public interest; its design, location, environmental impact, and impact to agricultural land and operations, if any; and its conformity to state and local laws and to state electric grid planning, including its consistency with attainment of the statewide greenhouse gas emissions limits in Article 75 of the Environmental Conservation Law. During the course of these settlement negotiations, other issues may be added or raised by the parties, and any and all issues related to this proceeding may be negotiated and settled.

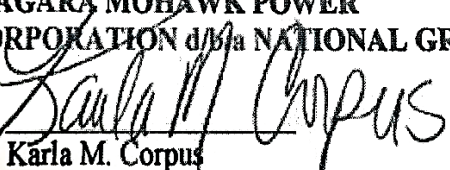
Be advised that agreement to participate in these settlement discussions constitutes agreement to be bound by the settlement confidentiality requirements of clause (d) of Rule 3.9 (a copy of clause (d) is attached to this Notice).

In accordance with clause (a)(1)(iii) of Rule 3.9, the undersigned certifies on behalf of National Grid that, upon service of this Notice on the persons and entities listed below, all appropriate persons and parties will be notified of the pendency of negotiations in this proceeding in a manner so as to permit a reasonable time for preparation.

Respectfully submitted,

**NIAGARA MOHAWK POWER
CORPORATION d/b/a NATIONAL GRID**

By:


Karla M. Corpus

Senior Counsel I

Attorney for the Applicant

cc:

By Email:

Honorable Erika Bergen, ALJ

DMM Party List

By First Class U.S. Mail:

All “Landowners” per PSL §120(5)

All owners of abutting/adjacent properties

Statutory Service List

COMMISSION RULE ON SETTLEMENT CONFIDENTIALITY

(16 NYCRR § 3.9(d))

“Confidentiality of settlement discussions.

No discussion, admission, concession or offer to stipulate or settle, whether oral or written, made during any negotiation session concerning a stipulation or settlement shall be subject to discovery, or admissible in any evidentiary hearing against any participant who objects to its admission. Participating parties, their representatives and other persons attending settlement negotiations shall hold confidential such discussions, admissions, concessions, and offers to settle and shall not disclose them outside the negotiations except to their principals, who shall also be bound by the confidentiality requirement, without the consent of the parties participating in the negotiations. The Administrative Law Judge assigned to the case, or the director of the appropriate division if no Administrative Law Judge has been assigned, may impose appropriate sanctions for the violation of this subdivision which may include exclusion from the settlement process.”