

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 24-T-0446 - Petition of New York Transco LLC and New York Power Authority for a Certificate of Environmental Compatibility and Public Need, Pursuant to Article VII of the New York Public Service Law, to Construct, Operate, and Maintain an Approximately 89.7-Mile Underground Transmission Line through Suffolk, Nassau, Queens, Bronx, and Westchester Counties.

RULING GRANTING PARTY STATUS TO SYOSSET CENTRAL SCHOOL DISTRICT
AND DENYING PARTY STATUS TO MARION

(Issued June 2, 2025)

ASHLEY MORENO and NICHOLAS PLANTY, Administrative Law Judges:

On July 31, 2024, New York Transco LLC and the New York Power Authority (together, the Applicant) filed an application for a Certificate of Environmental Compatibility and Public Need pursuant to Public Service Law (PSL) Article VII (the Application) proposing to construct, operate, and maintain the Propel NY Energy Project (the Project).¹

As stated at the September 12, 2024 procedural conference, all requests for party status will be treated as motions and party status is not conferred until we rule on a request.

On April 24, 2025, Syosset Central School District (Syosset CSD) filed a party request. On May 27, 2025, Amy Marion filed a party request.

¹ In a letter filed March 6, 2025, the Secretary to the Public Service Commission stated that, as of February 5, 2025, the Application complies with the requirements of PSL §122.

Syosset CSD's party request states, among other things, that it "intends to consult with various multidisciplinary experts, including environmental and transportation consultants, to further understand and better assess the concerns raised herein and any resulting impact upon [it] and to assist in identifying potential mitigation methods to address those impacts." The party request also describes health and safety concerns for students and staff as well as impacts to Syosset CSD's operations, finances, educational and instructional programs, and tax base. Thus, for the reasons stated in the request, we deem party status for Syosset CSD appropriate pursuant to PSL §124(1)(1).²

As an individual resident in a municipality entitled to receive notice under PSL §122(2)(a), but for their request being untimely, Amy Marion would be statutorily entitled to party status in this case. There has not been an objection filed, although the time for a party to object has not expired. We are acting sua sponte because Amy Marion's party request is facially insufficient. Amy Marion's request states solely that "[she is] a resident who owns property within 1 mile of the proposed facility location." This does not satisfy 16 NYCRR 4.3(c)(1) because it does not address how they would be likely to contribute to the development of a complete record or why it would otherwise be fair and in the public interest for them to be party. Thus, the party request of Amy Marion is denied without prejudice.

As we have repeatedly reiterated, party status is subject to consolidation. Parties with similar interests,

² See 16 NYCRR 85-2.11(c)(2) and 4.3(c)(1).

including Syosset CSD, may be required to consolidate their presentations.³

Pursuant to 16 NYCRR §85-2.10(d), within ten days of the issuance of this ruling, the Applicant is directed to serve Syosset CSD with a copy of the application materials, including all supplements, and file proof of service with the Secretary thereafter.

Finally, as set forth in our April 14, 2025 Ruling on Party Status and Party Participation, we reiterate that all representatives of parties appearing on the party list are required to file a Party Participation Acknowledgment form.⁴ The representatives of Syosset CSD have yet to do so. Counsels for Syosset CSD are directed to execute and file a Party Participation Acknowledgment form and serve it on the party list and judges no later than 4:30 p.m. on June 10, 2025. Failure to timely file the required Participation Acknowledgment form will result in revocation of party status and removal from the party list. To the extent the form is subsequently filed and served, party status will be reinstated.

(SIGNED)

ASHLEY MORENO

(SIGNED)

NICHOLAS PLANTY

³ See 16 NYCRR 85-2.14 and 4.3(b)(3).

⁴ The form is appended to the April 14, 2025 Ruling on Party Status and Party Participation as Appendix B.