



**Scenic Hudson, Inc.**

One Civic Center Plaza  
Suite 200  
Poughkeepsie, NY 12601-3157  
Tel: 845 473 4440  
Fax: 845 473 2648  
info@scenichudson.org  
www.scenichudson.org

January 17, 2014

Governor Andrew Cuomo  
Executive Chamber  
State Capitol  
Albany, NY 12224

Dear Governor Cuomo,

Thank you for your invitation to attend your 2014 State of the State Address. Congratulations on your effective presentation of the tremendous progress made under your leadership in restoring good governance and economic vitality to the Empire State.

I am writing on behalf of Scenic Hudson and a coalition that has formed in response to the New York State Public Service Commission transmission upgrade comparative proceeding (Case #13-E-0488). The coalition includes municipal officials, environmental, historic and land preservation organizations, businesses and residents who are extremely concerned about this proceeding and its potentially devastating impacts on the scenic, agricultural, ecological, cultural and economic assets of our region. Many of the groups have been working on this issue since early fall, informing and activating their constituents, working with experts in a range of fields relating to the potential for new transmission corridors and lines to be cut through our region – potentially via eminent domain proceedings.

All of us were heartened by your announcement relating to your Energy Highway initiative -- that the Public Service Commission will be offering accelerated review for transmission line proposals that would be constructed wholly within existing rights of way in height, width and length. This action is responsive to the issues I raised with you at the December 11<sup>th</sup> 2013 reception following your announcement of regional economic development grants and to concerns that have been raised in various contexts by members of our coalition. Thank you for directing Gil Quiniones, President of NYPA, and Assistant Secretary Tom Congdon to reach out to me in follow-up. PSC Chair Audrey Zibelman also contacted me, and we had a very constructive dialogue in this context on January 13<sup>th</sup>.

Communications with Department of Public Service staff members following the State of the State were initially discouraging in their revelation that the accelerated review policy preference would not apply to the ongoing alternating current transmission upgrade comparative proceeding. However, Mr. Congdon and Ms. Zibelman have assured me that the PSC will apply the policy preference for projects within existing rights of way to this proceeding. Most heartening, Ms. Zibelman indicated she is directing DPS staff to identify the appropriate procedural mechanism through which the Commission can officially advise project applicants that this policy preference will apply to the alternating current comparative proceeding and provide them an opportunity to modify their proposals to show responsiveness to this preference.

We have formed a coalition to effectively and efficiently intervene in the PSC proceeding, to provide unified or coordinated comments on the scope of the review, and to hire consultants who will assist us in providing comments during Parts A and B. All of us are committed to participating constructively to achieve a 21<sup>st</sup>-century energy system that enhances performance, reliability, cost-competitiveness, system security, and resilience to climate change while protecting the resources and quality of life in the Hudson Valley. Following are the key points we wish to bring to your attention at this time:

1. The AC comparative proceeding is already adversely affecting real estate values in communities through which transmission lines have been proposed. Property sales have reportedly been scuttled due to the mere announcement that new transmission corridors with towers ranging from 115 to 165 feet tall are under consideration. Problems with individual property transactions could have cascading impacts on local tax assessments, collections and community vitality. The Omega Institute, that employs 75 people year round and 200 seasonal staff and hosts more than 20,000 visitors per year at its 250-acre Dutchess County campus, has halted planning for a new dining hall and put a hold on new capital projects and hires due to the potentially devastating impact on its business model of a new transmission corridor near its property.
2. The PSC has not to-date – either in its Energy Highway Blueprint or in any public setting - articulated a convincing need for the new transmission capacity based on the most current data about electricity supply and demand. The potential for energy conservation, demand side management, local green power generation and distributed generation to reduce the need for new transmission lines has not been examined.
3. We applaud your commitment to building any new transmission capacity within existing three-dimensional corridors. More specifically, we will advocate that the footprint of existing utility infrastructure should be the boundaries for new transmission capacity, rather than the legal property boundaries of any right-of-way that might be owned by a utility or New York State agency.
4. We favor undergrounding of any new transmission lines where technically feasible. We believe the cost of undergrounding should be assessed on a total life-cycle basis and that cost comparisons should take into account likely impacts of increasingly intense weather events and the risk of terrorism.

5. New above-ground transmission corridors and tall towers threaten the beauty, agricultural, recreational and cultural resources of the Hudson Valley -- the very foundation of the regional economy, its quality of life and ability to attract and retain job-creating businesses. Such facilities are not consistent with the Mid-Hudson or Capital District Regional Economic Development Councils' strategic plans or the general focus on New York as a tourist destination.
6. The transmission corridors that are the focus of the current PSC proceedings represent an industrial/utility use that has burdened numerous communities in the Hudson Valley for the past fifty years; thus it is imperative that best-practice planning, engineering, and technology be harnessed to relieve these communities of the burdens and impacts of past siting decisions. While we favor the use of existing corridors, the risks of terrorism and storm damage in highly concentrated utility corridors also argues for policies favoring locally-generated renewable power, other types of distributed generation, demand side management and conservation to reduce the need for new transmission capacity.
7. We are unified in our opposition to the use of eminent domain to create new transmission capacity in our region.

In conclusion, we thank you for your openness to continued dialogue and collaboration toward shared objectives -- both through your office and the Department of Public Service as your policies continue to evolve in this critical domain. The natural and cultural resources, the health of our region and the very survival of businesses, institutions, homes and communities are at stake.

Sincerely,



Ned Sullivan  
President of Scenic Hudson  
And the following:

**Town of Clinton**  
**Clinton Concerned Citizens**  
**Dutchess County**  
**Dutchess Land Conservancy**  
**Farmers and Families for Claverack**  
**Farms and Families for Livingston**  
**Town of Milan**  
**The Olana Partnership**  
**Omega Institute**  
**The Preservation League of New York State**  
**Town of Pleasant Valley**  
**Winnakee Land Trust**

CC: Assemblyman Steve Englebright  
Assemblywoman Amy Paulin  
Assemblywoman Didi Barrett  
Audrey Zibelman, Chair of Public Service Commission  
Gil Quiniones, President and CEO of New York Power Authority  
Senator David Carlucci  
Senator George D. Maziarz  
Senator Terry Gipson  
Thomas Congdon, Deputy Secretary for Energy