

J.E.b.

NEW YORK STATE BOARD ON ELECTRIC  
GENERATION SITING AND THE ENVIRONMENT

CASE 16-F-0559 - Application of Bluestone Wind, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Construction of the Bluestone Wind Farm Project Located in the Towns of Windsor and Sanford, Broome County.

RULING ON PROCEDURE

(Issued April 4, 2019)

SEAN MULLANY AND DANIEL P. O'CONNELL, Examiners:

A telephonic procedural conference will be scheduled for next week to discuss (1) the April 2, 2019 motion filed by Broome County Concerned Residents ("BCCR"); (2) the April 3, 2019, motion of Bluestone Wind, LLC ("Bluestone") requesting confidential treatment of the information contained in BCCR's April 2, 2019 motion; (3) the April 3, 2019 email ruling from Examiner Mullany directing the parties to treat BCCR's April 2, 2019 motion as Protected Information; and (4) and BCCR's April 3, 2019 email motion requesting rescission of the April 3, 2019 email ruling.

At the procedural conference, the parties will be expected to identify the disputed facts and questions of law related to whether BCCR's April 2, 2019 motion should be protected, in whole or part, from public disclosure under the Freedom of Information Law. Parties will be expected to make requests regarding the process to be used to allow a full examination of that question.

Pending the resolution of these procedural questions, all deadlines for filings in response to the already filed motions (identified above) are suspended. Pending a decision on

the merits of Bluestone's claim(s) of confidentiality, all parties are directed to treat BCCR's April 2, 2019, motion as Protected Information and to refrain from publicly releasing the information contained in that motion.

Parties are directed to inform the Examiners when they are available next week for the procedural conference. All parties intending to appear at the telephonic procedural conference must notify the Examiners, and Daniel Cameron (daniel.cameron@dps.ny.gov), by the close of business tomorrow, Friday, April 5, 2019.

Once a date has been set all parties that have indicated their intent to participate will be provided with call-in details.

(SIGNED)

SEAN MULLANY

(SIGNED)

DANIEL P. O'CONNELL