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April 19, 2019

Via E-Mail

Hon. Sean Mullany
Presiding Examiner
NYS Dept. of Public Service
3 Empire State Plaza
Albany, NY 12223

Hon. Daniel O'Connell
Associate Examiner
NYS Dept. of Environmental Conservation
625 Broadway, First Floor
Albany, NY 12223

Re: Case No. 16-F-0559: Application of Bluestone Wind LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Major Electric Generating Facility in the Towns of Windsor and Sanford, Broome County, New York

Dear Examiners Mullany and O'Connell:

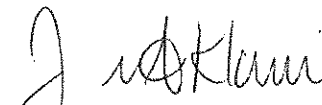
We represent Bluestone Wind, LLC ("Bluestone Wind" or "Applicant") in the above-referenced proceeding. On September 18, 2018 Bluestone Wind filed an Article 10 application pursuant to New York Public Service Law (PSL) 164 (the Application) with the Secretary of the Board on Electric Generation Siting and the Environment (Siting Board). The Applicant is now providing an update to the Application to reflect certain design changes made to the Facility since the filing of the Application. However, certain information/documents provided as part of this update have been identified as confidential and should therefore be protected from disclosure consistent with the Comprehensive Brief regarding confidentiality required by 16 NYCRR § 6-1.4 and submitted to you by letter dated September 18, 2018 (Comprehensive Brief).

A copy of the document for which the Applicant is seeking protection from disclosure is included with this letter.

The attached Example Type Certification contains detailed information about the configuration of one of the turbine models under consideration for the Facility. Detailed information regarding the configuration and operation of each turbine model is extremely valuable to competing manufacturers. As a result, the manufacturers have gone to great lengths to protect this information from competing manufacturers, including requiring the Applicant to sign non-disclosure agreements. Disclosing this information as part of the Application could violate the non-disclosure agreement and result in the revelation of trade secrets sought to be maintained by the vendor/manufacturer. This information is very important to turbine manufacturers and is highly sensitive business information that could be used by competitors in making decisions with respect to turbine selection. Consistent with the arguments in the Comprehensive Brief, this information is protected as trade secret and confidential commercial information. *See* Comprehensive Brief, pp. 9-13, 16-18 for relevant legal arguments

If you have any questions, please feel free to let us know.

Respectfully submitted,



James A. Muscato II
Jessica Ansert Klami
Young/Sommer LLC
Attorneys for Bluestone Wind, LLC

Enclosure

CC: DMM Party List (*via email w/o enclosure*)
Secretary Burgess (*via email w/o enclosure*)