

J. E. T.

## Young / Sommer LLC

DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE

COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205  
Phone: 518-438-9907 • Fax: 518-438-9914

[www.youngsommer.com](http://www.youngsommer.com)

SENIOR COUNSEL  
JEFFREY S. BAKER  
KENNETH S. RITZENBERG  
DOUGLASH H. WARD (3947-2018)

OF COUNSEL  
SUE H.R. ADLER  
ROGER FLORIO  
LAUREN L. HUNT  
ELIZABETH M. MORSS  
SCOTT P. OLSON  
RICHARD E. OSTROV  
KRISTIN LAVIOLETTE PRATT  
STEPHEN C. PRUDENTE  
KRISTIN CARTER ROWE  
STEVEN D. WILSON

PARALEGALS  
ALLYSSA T. MOODY, RP  
AMY S. YOUNG

Writer's Telephone Extension: 272  
[ijklami@youngsommer.com](mailto:ijklami@youngsommer.com)

April 30, 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, NY**

Dear Presiding Examiners Mullany and O'Connell:

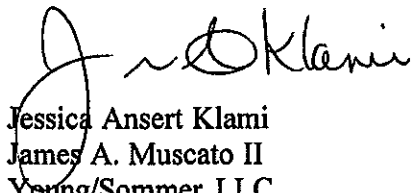
Our office represents Bluestone Wind, LLC ("Bluestone Wind" or the "Applicant") in the above referenced proceeding. Please accept this letter in response to Broome County Concerned Residents' ("BCCR") brief dated April 29, 2019.

The Applicant is submitting this response for the limited purpose of advising Your Honors that the brief filed by BCCR was publicly filed and quotes directly from the agreements which are currently covered by the Protective Order in this proceeding. BCCR and their counsel have intentionally disregarded the Protective Order and have shown a disregard for the

confidentiality of information in this proceeding. Regardless of the ultimate adjudication of the confidentiality of the material, BCCR, and all of the parties, were instructed by Your Honors to maintain the draft agreements as confidential pending a determination by Your Honors. BCCR ignored this instruction. We request that the brief filed by BCCR be removed from the public DMM and either be refiled with the appropriate sections redacted or maintained as confidential.

Thank you. Please do not hesitate to contact us with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J Ansert Klami". The signature is fluid and cursive, with the first name "J" being particularly large and stylized.

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

cc: DMM Party List (via email)  
Secretary Burgess (via email)