



**Public Service Commission**  
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Three Empire State Plaza, Albany, NY 12223-1350  
www.dps.ny.gov

**Diane X. Burman**  
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**Tracey A. Edwards**  
Commissioners

March 10, 2021

Via Electronic E-Mail:

Leonard H. Singer  
Partner  
Couch White, LLP  
540 Broadway  
P.O. Box 22222  
Albany, New York 12201-2222  
[lsinger@couchwhite.com](mailto:lsinger@couchwhite.com)

RE: CASE 18-T-0499 – Application of NextEra Energy Transmission New York, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Construction of a 20 Mile 345 Kilovolt Transmission Line Located in the Town of Royalton, Niagara County, and the Towns of Alden, Newstead, Lancaster, and Elma in Erie County.

**Notice to Proceed with Construction**

Dear Mr. Singer:

The Environmental Management and Construction Plan submitted by NextEra Energy Transmission New York, Inc. for the Empire State Line Project (NEETNY), was approved by the New York State Public Service Commission on November 19, 2020. Ordering clause 2 of that Order states that:

*“2. The Certificate Holder shall not commence construction until it has received a “Notice to Proceed with Construction” letter sent by the Director of Facility Certification and Compliance or their designee of the Office of Electric, Gas and Water.”*

You are hereby authorized to begin activities required for the construction of the project as described above. Specifically, NEETNY is authorized to proceed with construction, but is limited to construction activities in areas where all necessary permits have been acquired. Permits that are still pending must be posted to the NYS DPS DMM when received and prior to commencing activities governed by those permits.

CASE 18-T-0499

If you have any questions, please contact Andrew Fecco of the Environmental Compliance Staff, at (315) 200-0162 or by email at [andrew.fecco@dps.ny.gov](mailto:andrew.fecco@dps.ny.gov).

Sincerely,

*Houtan Moaveni*

Houtan Moaveni  
Director of Facility Certification and Compliance  
Environmental Certification and Compliance Section  
Office of Electric, Gas & Water

Cc: Case File 18-T-0499, NYSDPS  
Andrew Fecco, NYSDPS