



**Department of Energy**  
Washington, DC 20585

April 2, 2012

Honorable Jaelyn Brillling  
Secretary to the Commission  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, New York 12223-1350

**Re: Case 10-T-0139, Champlain Hudson Power Express, Inc.**

Dear Secretary Brillling:

Please find attached an Information Notice related to Champlain Hudson Power Express, Inc. prepared by the Department of Energy (DOE). Pursuant to conversations with Administrative Law Judges Michelle Phillips and Kevin Casutto, DOE provides this Information Notice and requests the Public Service Commission's (Commission) assistance in making the public aware of its contents by conveying pertinent aspects of it at the beginning of each of the Commission's upcoming public statement hearings and making copies of the Information Notice available to meeting attendees and/or directing attendees to the DOE and Commission websites for a copy.

We very much appreciate the Commission's assistance in helping us provide notice to the public of DOE's intention to review the April public statement hearing transcripts and to take them into consideration as scoping comments on DOE's Environmental Impact Statement (EIS). DOE looks forward to continuing to work with the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Public Service (NYSDPS) as cooperating agencies in the preparation of the EIS.

Sincerely,

Brian Mills  
Deputy Assistant Secretary,  
Permitting, Siting and Analysis  
Office of Electricity Delivery and  
Energy Reliability  
U.S. Department of Energy



cc: Hon. Michelle Phillips, NY PSC  
Hon. Kevin Casutto, NY PSC  
James Austin, NY DPS  
Naomi Handell, Army Corps of Engineers  
Tim Sullivan, Fish and Wildlife Service  
Robyn Niver, Fish and Wildlife Service  
Sandra Doran, Fish and Wildlife Service  
Lingard Knutson, EPA, Region II  
Patricia Desnoyers, New York State Department of Environmental Conservation

## INFORMATION NOTICE

March 30, 2012

In addition to New York state approval requirements, the Champlain Hudson Power Express, Inc. project (Champlain Hudson Project) has applied to the United States Department of Energy (DOE) for a Presidential permit, a permit necessary for the applicant to construct, operate, maintain, and connect the proposed electric transmission line across the U.S.-Canada border. Among other things, DOE will assess the potential environmental impacts of the Champlain Hudson Project and determine whether issuance of a Presidential permit is consistent with the public interest.

DOE is aware that the New York State Public Service Commission (Commission) will hold public statement hearings in April on the Joint Proposal submitted to the Commission on February 24, 2012. The Champlain Hudson Project applicant has presented the Joint Proposal to DOE as its preferred alternative. Therefore, DOE intends to evaluate the Joint Proposal to determine whether to issue a Presidential permit.

In light of the submission of the Joint Proposal to DOE on February 28, 2012, DOE intends to issue an amended Notice of Intent (NOI) and reopen public scoping on its Environmental Impact Statement (EIS) for the Champlain Hudson Project. The scoping period will extend for 45 days after publication of the amended NOI in the *Federal Register*.

DOE held seven public scoping meetings on the Champlain Hudson Project in 2010. While DOE does not currently intend to hold further scoping meetings, it recognizes that comments provided by the public during the Commission's public statement hearings may be relevant to DOE's National Environmental Policy Act (NEPA) process. Therefore, DOE intends to review the April public statement hearing transcripts and consider them, to the extent matters relevant to the federal environmental review process arise, as scoping comments for purposes of the EIS. Additionally, the public is invited to provide scoping comments on the EIS by submitting them via e-mail to [Brian.Mills@hq.doe.gov](mailto:Brian.Mills@hq.doe.gov), by fax to 202-586-8008 or by mail addressed to Brian Mills, Office of Electricity Delivery and Energy Reliability (OE-20), U.S. Department of Energy, 1000 Independence Ave., SW, Washington, DC 20585.

For more information on the DOE Presidential permit or EIS process, please visit DOE's Champlain Hudson Project EIS website at: <http://chpexpresseis.org/>.