

NEW YORK STATE BOARD ON ELECTRIC
GENERATION SITING AND THE ENVIRONMENT

CASE 01-F-1276 - Application of TransGas Energy Systems LLC for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 1,100 Megawatt Combined Cycle Cogeneration Facility in the Borough of Brooklyn, New York City.

NOTICE OF ISSUES CONFERENCE

(Issued June 9, 2003)

TAKE NOTICE that a conference will be held on Friday, July 18, 2003 in this proceeding before Presiding Examiner Robert R. Garlin and Associate Examiner Kevin J. Casutto, beginning at 9:30 a.m. in Hearing Room A at the Public Service Commission's New York City offices at One Penn Plaza (Borough of Manhattan), Eighth Floor.

The purpose of the conference, which will be held jointly with the New York State Department of Environmental Conservation's Issues Conference relating to permits required by the subject facility, is to identify all Article X issues that will be adjudicated at future evidentiary hearings; identify the parties (other than the applicant) who will be sponsoring testimony at those hearings; consider requests for intervenor funding; discuss scheduling and other procedural matters; and address such other matters as may be necessary.

Parties seeking funds for expert witness and consulting fees, pursuant to 16 NYCRR §1000.9, must submit their requests to the Presiding Examiner not later than June 24, 2003, the first business day falling 15 days after the date of issuance of this notice. The requirements of 16 NYCRR §1000.9 for funding requests can be found at <http://www.dps.state.ny.us/fileroom/doc3483.pdf>.

Parties proposing to litigate Article X issues shall file in-hand with the examiners, by no later than 12:00 noon on

July 11, 2003, a list of the specific Article X issues they propose to litigate, including references to the section, subsection, and topic numbers in the application; a sufficient explanation of why litigation is necessary for each such issue; and, if known, a list of the witness(es) who will present testimony on each such issue. The information provided shall be in such detail as necessary to allow the examiners to rule as required by Public Service Law §165(2). The parties' submittals shall be served in-hand on all parties shown on the latest parties list.¹ The parties are also responsible for serving the Secretary of the Siting Board with copies of their submittals via first class mail postmarked not later than July 11, 2003. Such copies will be included in the original case file.

Parties wishing to participate in the issues conference must notify the Presiding Examiner by no later than 12:00 noon on Wednesday, July 16, 2003 and provide the names of the persons who will be attending on their behalf.² Persons whose names appear on the attendance list compiled by the Presiding Examiner will be granted access to One Penn Plaza upon showing valid, current photographic identification.

JANET HAND DEIXLER
Secretary

¹ The latest parties list is attached to the June 6, 2003 Ruling on Party Status, available on the Department of Public Services's website at <http://www.dps.state.ny.us/fileroom/doc13321.pdf>.

² The Presiding Examiner can be contacted by telephone at (518) 474-0739 or by e-mail at robert_garlin@dps.state.ny.us.