



Jeffrey L. Riback
Assistant General Counsel

October 5, 2006

VIA OVERNIGHT MAIL

The Hon. Jaclyn A. Brillling
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Re: Case 06-T-0710: Application of Consolidated Edison Company of New York, Inc. for a Certificate of Environmental Compatibility and Public Need Under Article VII of the New York State Public Service Law for the M29 Transmission Line Project

Dear Secretary Brillling:

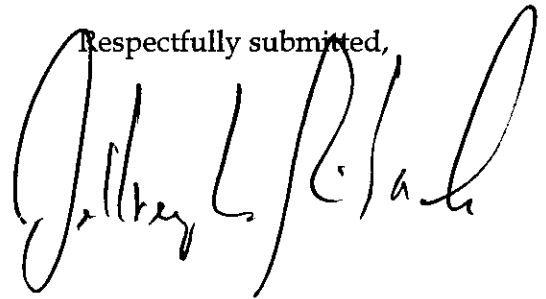
On June 14, 2006, Consolidated Edison Company of New York, Inc. ("Con Edison" or the "Company") filed with the Commission an application (the "Application") for a Certificate of Environmental Compatibility and Public Need for the Company's proposed M29 Transmission Line Project (the "Project"). The Project entails the construction and operation of a new, primarily underground, 345 kV electric transmission line from Con Edison's existing Sprain Brook Substation in the City of Yonkers, Westchester County, to the to-be-constructed Academy Substation in upper Manhattan, New York County. The transmission line will consist of one feeder, and will be approximately 9.5 miles in length. In the Application, Con Edison proposed that the feeder would be installed underneath the Harlem River using horizontal directional drilling ("HDD"). In response to the Commission's July 24, 2006 request, the Company also filed a supplement to the Application on August 8, 2006, which provided Con Edison's plans for site work and the masonry building design associated with the Academy Substation.

Based upon continuing discussions with property owners on both sides of the Harlem River, and in response to various construction, environmental, property valuation, and developmental impact concerns expressed by those owners, the Company has decided to change its Harlem River crossing technique from HDD to tunnel construction. The tunnel shafts are now planned for existing parking lots at the River Plaza shopping center (94 West 225th Street) owned by Kingsbridge Associates on the north side of the Harlem River, and at the New York-Presbyterian Hospital on the south side of the river at Ninth Avenue and West 220th Street. Altering the river crossing from HDD to tunneling reduces

the length of the crossing by about 450 feet, does not require use of New York City Housing Authority property at the Marble Hill Houses or the contaminated Time Warner property in Manhattan, and will significantly mitigate the noise impacts previously anticipated at the Marble Hill Houses using HDD. The cost of tunnel construction is comparable to updated HDD cost estimates.

Accordingly, Con Edison is providing for filing with the Commission ten sets of revised pages to Con Edison's Application. These revisions reflect changes to the Application required by the new proposed river crossing technology. Con Edison is providing notice of these changes in advance of the additional public statement hearings scheduled in the Bronx and Manhattan for October 16 and 17, respectively. We are also providing a Certificate of Service, prepared pursuant to 16 NYCRR § 85-2.10, showing that sets of these revised Application pages are being served today on all parties indicated on the attached service list. Sets of revised Application pages are also being placed in the four public libraries designated as repositories for Project materials.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey L. P. [unclear]". The signature is written in a cursive style with a large, looping initial "J".

Enclosures
cc: Service List



M29 Transmission Line Project

**Application to the New York State Public Service Commission
for a Certificate of Environmental Compatibility
and Public Need under Article VII of the Public Service Law**

Prepared for

**Consolidated Edison Company
of New York, Inc.**

Prepared by

TRC

1200 Wall Street West
Lyndhurst, New Jersey 07071

Amendment
October 2006

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
EXECUTIVE SUMMARY	ES-1
PROJECT INFORMATION	
Service List	
Public Notice and Affidavit of Publication	
Matter of the Application	
Motion for Waivers	
EXHIBIT 1: GENERAL INFORMATION REGARDING APPLICATION.....	1-1
EXHIBIT 2: LOCATION OF FACILITIES	2-1
2.1 General Description of Facility and Its Location	2-1
2.1.1 Preferred Transmission Route	2-2
2.1.2 Sprain Brook Substation.....	2-4
2.1.3 Academy Substation.....	2-4
2.2 Location Map.....	2-5
2.3 Aerial Photographs	2-6
2.4 Supplemental Right-of-Way Information.....	2-7
EXHIBIT 3: ALTERNATIVES	3-1
3.1 Introduction.....	3-1
3.2 Alternative Transmission Line Technologies.....	3-1
3.3 Consideration of Alternative Routes	3-2
3.3.1 Route Evaluation Criteria	3-3
3.3.2 Major Route Alternatives	3-3
3.3.3 Alternative Harlem River Crossing Locations	3-10
3.4 Expansion of Existing Rights-of-Way.....	3-11
3.5 Alternate Methods to Fulfill Energy Requirements.....	3-11
3.5.1 No-Action Alternative	3-11
3.5.2 System Alternatives	3-12
3.5.3 Demand Side Management	3-13
3.5.4 Distributed Generation.....	3-13
EXHIBIT 4: ENVIRONMENTAL EFFECTS	4.1-1
4.1 Introduction.....	4.1-1
4.2 Land Uses	4.2-1
4.2.1 Introduction and Summary of Results	4.2-1
4.2.2 Laws, Policies, and Regulations	4.2-2
4.2.3 Existing Land Use.....	4.2-6
4.2.4 Environmental Effects and Mitigation.....	4.2-16

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
4.2.5	References..... 4.2-19
4.3	Aesthetics and Visual Resources 4.3-1
4.3.1	Summary of Visual Resources..... 4.3-1
4.3.2	Laws, Policies, and Regulations 4.3-1
4.3.3	Existing Conditions 4.3-2
4.3.4	Environmental Effects and Mitigation..... 4.3-20
4.3.5	References..... 4.3-21
4.4	Cultural Resources 4.4-1
4.4.1	Laws, Policies, and Regulations 4.4-1
4.4.2	Existing Setting..... 4.4-3
4.4.3	Cultural Resource Assessment Methodology..... 4.4-8
4.4.4	Impact Assessment and Mitigation..... 4.4-9
4.5	Terrestrial Ecology and Wetlands 4.5-1
4.5.1	Introduction and Summary of Results 4.5-1
4.5.2	Laws, Policies and Regulations 4.5-1
4.5.3	Methodology..... 4.5-5
4.5.4	Vegetation..... 4.5-5
4.5.5	Wetlands and Aquatic Resources 4.5-5
4.5.6	Wildlife 4.5-6
4.5.7	Endangered and Threatened Species 4.5-6
4.5.8	Environmental Effects and Mitigation..... 4.5-8
4.5.9	References..... 4.5-9
4.6	Topography and Soils 4.6-1
4.6.1	Introduction and Summary of Results 4.6-1
4.6.2	Laws, Policies and Regulations 4.6-3
4.6.3	Existing Conditions 4.6-4
4.6.4	Environmental Effects and Mitigation..... 4.6-7
4.6.5	References..... 4.6-12
4.7	Water Resources 4.7-1
4.7.1	Introduction and Summary of Results 4.7-1
4.7.2	Laws, Policies and Regulations 4.7-3
4.7.3	Existing Conditions 4.7-3
4.7.4	Impacts and Mitigation..... 4.7-7
4.7.5	References..... 4.7-13
4.8	Noise 4.8-1
4.8.1	Introduction and Summary of Results 4.8-1
4.8.2	Laws, Policies and Regulations 4.8-2
4.8.3	Existing Conditions 4.8-5
4.8.4	Environmental Effects and Mitigation..... 4.8-6
4.8.5	References..... 4.8-12
4.9	Electric and Magnetic Fields 4.9-1
4.9.1	Introduction..... 4.9-1

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
4.9.2	Laws, Policies, and Regulations 4.9-2
4.9.3	Transmission Line Analysis 4.9-4
4.9.4	Sprain Brook Substation..... 4.9-5
4.9.5	Academy Substation EMF Analysis 4.9-5
4.9.6	References..... 4.9-18
EXHIBIT 5:	DESIGN DRAWINGS 5-1
5.1	Design Standards 5-1
EXHIBIT 6:	ECONOMIC EFFECTS OF PROPOSED FACILITY 6-1
6.1	Introduction and Summary of Findings 6-1
6.2	Demographics 6-2
6.3	Construction Effects and Mitigation..... 6-2
6.3.1	Construction Schedule and Major Phases..... 6-3
6.3.2	Number of Construction Workers by Discipline 6-6
6.3.3	Available Construction Force 6-6
6.3.4	Mitigation 6-7
6.4	Operational Effects and Mitigation 6-7
EXHIBIT 7:	LOCAL ORDINANCES 7-1
7.1	Introduction..... 7-1
7.2	Westchester County Code..... 7-2
7.3	Code of the City of Yonkers 7-3
7.4	New York City Administrative Code 7-6
7.5	Rules of the City of New York 7-6
7.6	New York City Zoning Resolution..... 7-7
EXHIBIT 8:	OTHER PENDING FILINGS 8-1
8.1	New York State Department of Transportation – Utility Work Permit..... 8-1
8.2	United States Army Corps of Engineers – Section 10 Permit 8-1
8.3	New York State Department of Environmental Conservation – SPDES Permit for Construction Stormwater 8-2
8.4	New York State Department of State – Coastal Zone Consistency Determination 8-2
8.5	Metropolitan Transit Authority – Utility License Agreement 8-3
8.6	New York City Department of Environmental Protection, Bureau of Water Supply Lands..... 8-4
EXHIBIT 9:	COST OF PROPOSED FACILITIES 9-1
9.1	Capital Costs (§86.10(a)) 9-1
9.2	Sources of Information (§86.10(b))..... 9-1

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
EXHIBIT E-1: DESCRIPTION OF THE PROPOSED TRANSMISSION FACILITIES	E-1-1
E-1.1 Underground Cable System.....	E-1-1
E-1.2 Insulator Design.....	E-1-2
E-1.3 Length of Transmission Line	E-1-3
EXHIBIT E-2: OTHER FACILITIES	E-2-1
E-2.1 Sprain Brook Substation.....	E-2-1
E-2.2 Academy Substation.....	E-2-1
EXHIBIT E-3: UNDERGROUND CONSTRUCTION.....	E-3-1
E-3.1 Open Trench Construction.....	E-3-1
E-3.2 Manhole Installation.....	E-3-2
E-3.3 Horizontal Directional Drilling.....	E-3-3
EXHIBIT E-4: ENGINEERING JUSTIFICATION	E-4-1
E-4.1 Introduction and Relation to Existing Transmission Network	E-4-1
E-4.2 Benefits to Reliability and Economy for Applicant	E-4-2
E-4.3 Schedule.....	E-4-3
E-4.4 System Studies	E-4-3
E-4.5 Public Interest Considerations	E-4-3
EXHIBIT E-5: EFFECT ON COMMUNICATIONS	E-5-1
EXHIBIT E-6: EFFECT ON TRANSPORTATION	E-6-1
E-6.1 Roads	E-6-1
E-6.2 Pedestrian Traffic.....	E-6-6
E-6.3 Railroads	E-6-7
E-6.4 Airports	E-6-7
E-6.5 Mass Transit.....	E-6-7

LIST OF TABLES

<u>Table No.</u>	<u>Page</u>
Table 4.3-1: Visual Resources Within One Mile of the Proposed Facilities	4.3-6
Table 4.4-1: Prehistoric Archaeological Sites Within One Mile of the Project	4.4-3
Table 4.4-2: Historic Archaeological Sites Within One Mile of the Project	4.4-5
Table 4.4-3: National Register Listed Properties Within One Mile of the Project.....	4.4-6
Table 4.5-1: State Listed Threatened and Endangered Species.....	4.5-7
Table 4.6-1: Soil Characteristics.....	4.6-6
Table 4.8-1: Yonkers City Code: Chapter 66 – Noise	4.8-3
Table 4.8-2: NYC Zoning Resolution Noise Standard (dB).....	4.8-4
Table 4.8-3: Construction Phase Noise Levels of the Transmission Line.....	4.8-7
Table 4.8-4: Maximum Noise Levels of Major Construction Equipment for the Academy Street Substation.....	4.8-9
Table 4.8-5: Operation Noise Modeling Results – Academy Street Substation.....	4.8-11
Table 4.9-1: ICNIRP Exposure Characteristics to Electric and Magnetic Fields.....	4.9-3
 Table 6-1: Population of Communities Within the Project Area	 6-2
 Table 9.1.1: Estimated Capital Costs.....	 9-2
 Table E-6-1: Bus and Subway Routes Encountered Along the Preferred Transmission Line Route	 E-6-8

LIST OF FIGURES

<u>Figure No.</u>	<u>Page</u>
Figure 2-1: Facilities Location Within a One-Mile Area	2-8
Figure 2-2. New York Power Pool System Map	2-9
Figure 2-3a. Location of Facilities – Aerial View.....	2-10
Figure 2-3b. Location of Facilities – Aerial View.....	2-11
Figure 2-3c. Location of Facilities – Aerial View.....	2-12
Figure 2-3d. Location of Facilities – Aerial View.....	2-13
Figure 2-3e. Location of Facilities – Aerial View.....	2-14
Figure 2-3f. Location of Facilities – Aerial View	2-15
Figure 2-3g. Location of Facilities – Aerial View.....	2-16
Figure 2-3h. Location of Facilities – Aerial View.....	2-17
Figure 3-1. Alternative Routes Location Map	3-15
Figure 3-2. Alternate River Crossing Locations	3-16
Figure 4.2-1a. Yonkers Land Use Map	4.2-7
Figure 4.2-1b. Bronx Land Use Map.....	4.2-8
Figure 4.2-1c. Manhattan Land Use Map	4.2-9
Figure 4.3-1a. Typical Streetscape Along the Preferred Route	4.3-13
Figure 4.3-1b. Typical Streetscape Along the Preferred Route	4.3-14
Figure 4.3-1c. Typical Streetscape Along the Preferred Route	4.3-15
Figure 4.3-1d. Typical Streetscape Along the Preferred Route	4.3-16
Figure 4.3-1e. Typical Streetscape Along the Preferred Route	4.3-17
Figure 4.5-1. NYSDEC and NWI Wetland Map.....	4.5-4
Figure 4.9-1. Academy Substation – Plan View.....	4.9-7
Figure 4.9-2. Academy Substation – Elevation View	4.9-8
Figure 4.9-3. Academy Substation – Elevation View	4.9-9
Figure 4.9-4. Academy Substation – Wire Diagram.....	4.9-10
Figure 4.9-5. Academy Substation – Calculated Magnetic Field along W. 201st Street	4.9-13
Figure 4.9-6. Academy Substation – Calculated Magnetic Field along South Side of Substation.....	4.9-14
Figure 4.9-7. Academy Substation – Calculated Magnetic Field along West Side of Substation.....	4.9-15
Figure 4.9-8. Academy Substation – Calculated Magnetic Field along East Side of Substation.....	4.9-16
Figure 4.9-9. Academy Substation – Magnetic Fields Over Entire Substation Site.....	4.9-17
Figure 5-1. Centerline Profile	5-2
Figure 6-1. Proposed Construction Schedule	6-4

LIST OF FIGURES

<u>Figure No.</u>	<u>Page</u>
Figure E-1-1a. Typical 345 kV Pipe-type Cable Cross-Section.....	E-1-5
Figure E-3-1a. Typical Pipe-Type Cable Trench Dimensions for City of Yonkers	E-3-5
Figure E-3-1b. Typical Pipe-Type Cable Trench Dimensions for City of New York	E-3-5
Figure E-3-2. Typical 345 kV Pipe-Type Cable Land Manhole Plan and Section	E-3-6
Figure E-3-3. Typical 345 kV Pipe-Type Cable Normal Joint in Manhole	E-3-7
Figure E-3-4. Shaft South of the Harlem River	E-3-8
Figure E-3-5. Harlem River Tunnel Cross Section	E-3-9
Figure E-3-6. Shaft North of the Harlem River	E-3-10

LIST OF APPENDICES

Appendix A	Agency Correspondence
Appendix B	Pre-Filed Direct Testimony
Appendix C	Coastal Zone Assessment
Appendix D	Draft Certificate of Conditions

Consolidated Edison Company of New York, Inc.

M29 Transmission Line Project

Executive Summary

EXECUTIVE SUMMARY

Project Overview

Consolidated Edison Company of New York, Inc. (“Con Edison” or the “Applicant”) is submitting this Application for a Certificate of Environmental Compatibility and Public Need pursuant to Article VII of the New York State Public Service Law (“PSL”) to authorize the construction and operation of an approximately 9.5-mile, 345 kV high-pressure fluid filled (HPFF pipe-type), primarily underground, transmission line connecting Con Edison’s existing Sprain Brook Substation in the City of Yonkers, Westchester County, with the new Academy Substation to be located in the Inwood section of upper Manhattan, in the City of New York (the “Project”). The HPFF pipe-type transmission line will be installed primarily below grade, primarily within publicly-owned street rights-of-way and previously developed Con Edison property. Equipment required to accommodate the new transmission line will be added at both the Sprain Brook Substation and new Academy Substation. The interconnection of the proposed 345 kV transmission line at the Sprain Brook Substation will include the installation of new 345 kV circuit breakers, 345 kV disconnect switches, 345 kV pothead structures, "A" frame towers, related equipment and a pressurizing plant with a tank that will hold 20,000 gallons of dielectric fluid. At the new Academy Substation, which is planned as an indoor, gas-insulated type station (“GIS”), the major equipment that will be installed includes 345 kV circuit breakers, 345 kV disconnect switches, 345 kV pothead structures, 345 kV/138 kV autotransformers, 138 kV phase angle regulators, and related equipment. The substation will contain a pressurization plant with two tanks for dielectric fluid with a total capacity of 30,000 gallons. The work at the existing Sprain Brook Substation will be completed within its existing fence and property lines, and the connection of the new transmission line to the Academy Substation will occur within the former Sherman Creek Generating Station property, in previously disturbed areas historically used for power plant operations.

As noted, the proposed transmission line will be installed primarily underground (primarily within public roadway rights-of-way and previously developed Con Edison property) with the exception of four bridge crossings where the line will be mounted to the underside of the bridges or installed within the bridge roadway. The four bridge crossings are:

- Tuckahoe Road Bridge over the New Croton Aqueduct;
- Old Nepperhan Avenue Bridge over the Saw Mill River;
- Nepperhan Avenue Bridge over the Saw Mill River; and

- West 252nd Street Bridge over the Henry Hudson Parkway.

Along most of the proposed route, the M29 Transmission Line, as it is designated, will be installed within an open-cut trench. This will require an approximate two- to five-foot wide by four- to eight-foot deep excavation. The width and depth of the excavation will vary depending on the location along the preferred transmission route (i.e. state right-of-way vs. non-state right-of-way) and proximity to existing underground utilities. Generally, a four- to five-foot deep trench will be required within the boundaries of the City of New York and a seven- to eight-foot deep trench will be required within the City of Yonkers. Where the line crosses the Harlem River into upper Manhattan, the pipe-type cable feeder will be installed **within a new tunnel**.

The installation of the M29 Transmission Line and associated upgrades at the existing Sprain Brook Substation and the new Academy Substation will allow Con Edison to meet expected electrical load growth in the East 179th Street load area, which includes portions of the Bronx and upper Manhattan. The Project will also improve reliability on the Con Edison electric transmission and distribution system. First contingency overload conditions, as reflected in Con Edison's most recent Ten-Year Load Relief Forecasts for the Sherman Creek Substation, serving the Bronx and upper Manhattan, will be relieved through construction of the Project. The Project will also provide electric system reliability benefits to portions of Westchester County within Con Edison's Dunwoodie North load area. Additionally, the Project would increase Con Edison's ability to import power into New York City by about 300 MW, thereby allowing the increased delivery of economy power to its in-City customers.

Environmental Studies

Con Edison conducted comprehensive environmental studies of the Project. The results of these studies are summarized below:

Land Uses: Land uses along the preferred M29 transmission line route were identified from several sources, including reconnaissance surveys, aerial photography, and inventories/maps of land use, cultural, visual, and recreational resources. Cultural resources included archaeological sites, historic places and structures on the State and National Registers of Historic Places and city-designated historical sites. Westchester, Bronx and New York County parks, local municipal parks, and parkways were identified. The preferred M29 transmission line route falls within the New York State Coastal State Boundary in the Bronx and upper Manhattan, and follows a portion of the zone's eastern boundary in Yonkers, Westchester County. However, as

demonstrated in the coastal zone consistency assessment included as Appendix C of this Application, the Project is consistent with and will not preclude the coastal zone management goals contained within the New York State Coastal Management Program or the New York City New Waterfront Revitalization Plan.

Land uses adjacent to or near the proposed underground transmission line consist of a mix of residential, commercial, industrial, and institutional uses, open space and transportation corridors. Manufacturing/industrial uses in the vicinity of the preferred route include several warehouses and manufacturing buildings along Nepperhan Avenue in Yonkers and the existing Sherman Creek Substation and adjacent warehouses and manufacturing buildings near the new Academy Substation, in upper Manhattan. Institutional and governmental uses adjacent to the route include St. John's Riverside Hospital, Yonkers City Hall and Courthouse municipal complex, the College of Mt. Saint Vincent, Manhattan College, and the New York-Presbyterian Hospital, as well as several local schools in the Bronx (i.e., P.S. 81, Robert J. Christen School and P.S. 37, Multiple Intelligence School) and Manhattan (i.e., P.S. 5, the Ellen Lurie School, and P.S. 18 Park Terrace Early Child). Commercial uses along the preferred route include several first-story commercial uses, such as gas stations, dry cleaners and local retail shops. Major transportation corridors traversed by the preferred route include the New York State Thruway and the Saw Mill River Parkway in Yonkers and the Henry Hudson Parkway in the Bronx. The preferred transmission line route also crosses New York City's Croton and New Croton Aqueducts.

The parks or recreational uses adjacent to the preferred transmission line route include Smith Park and Cerrato Park in Yonkers, Ewen Park and Marble Hill Playground in the Bronx and Baker Field, Isham Park and Monsignor Kett Playground in upper Manhattan. Additional recreational uses in proximity to the Academy Substation site include Swindler Cove Park, the northernmost portion of Highbridge Park, and Roberto Clemente State Park. A total of 7 National Register Historical sites are located adjacent to the preferred route.

For the majority of the preferred route, the transmission line will be installed within existing roadway rights-of-way or within previously developed Con Edison property. All work at the Sprain Brook Station will occur within the developed portion of the existing 38-acre substation property. All equipment required to complete the Academy Substation will be installed within the new Academy Substation building. Therefore, no land use conflicts are anticipated. For a small portion of the route, in the vicinity of the crossing of the Harlem River, easements will be required from Kingsbridge Associates and the Metropolitan Transit Authority **on the north side**

of the Harlem River, and from the New York-Presbyterian Hospital on the south side of the Harlem River to allow for the construction of the tunnel shafts. Once installed, the transmission facilities will not affect surrounding land uses. As established in Section 4.9 of Exhibit 4, electric and magnetic fields produced by the Project will not exceed applicable State standards nor will they endanger the public or surrounding property.

The Academy Substation is being developed as a gas-insulated substation (“GIS”) in response to ongoing discussions with New York City representatives. The use of a GIS design minimizes the space required for the substation equipment along Academy Street and the adjacent Sherman Creek. The substation’s design will be consistent with the City of New York’s planned residential and commercial redevelopment of the Sherman Creek neighborhood, and the substation’s façade will visually complement the existing marinas located in the Project area, south of Sherman Creek. The substation’s enclosed design also ensures the safety of the public and maximizes security for the substation.

During the installation of the transmission line at the crossing of the Harlem River, increases in ambient noise levels would result from tunnel shaft construction and operation of road header machine. An approximate two-to-four month timeframe would be required to complete construction activities at each shaft. The entire duration of tunnel and shaft construction will last approximately one year. These operations have the potential to result in significant, but temporary noise impacts. Con Edison is evaluating noise mitigation measures to reduce the impact of this activity. Con Edison will discuss these mitigation measures with the City of New York and local residents. Proposed noise mitigation measures will be presented in the Project’s EM&CP.

Temporary noise and traffic disruption during construction will be the primary impact to land uses along the trenched portion of the transmission line route (potential traffic and noise impacts resulting from the construction of the Project are detailed in Exhibit E-6, “Effect on Transportation”, and Section 4.8 of this Exhibit, respectively). During trench excavation and HPFF pipe-type cable installation, access to driveways and parking lots may be curtailed temporarily. On-street parking spaces may also be temporarily restricted. During construction along the trenched portion of the route, potential impacts on adjacent land uses will be minimized by such means as limiting work crew time on site, equipment noise reduction through use of functional equipment mufflers, prompt restoration and reopening of travel lanes on public roadways, and the implementation of traffic control measures to ensure safe and adequate flow of traffic through the Project area.

Aesthetics and Visual Resources: Noted visual or aesthetic resources located in the vicinity of the proposed transmission route include the Harlem Heights Heritage Area, Alexander Smith Carpet Mills Historic District, and Fort Tyron Park and the Cloisters. Visual resources, such as numerous historic resources, parks and playgrounds, which intersect with the preferred route, include the William Dyckman House, the Inwood branch of the U.S. Post Office, Cerrato and Vark Parks, and Marble Hill playground.

The equipment additions at the Sprain Brook and Academy Substations will not result in any impact to visual and aesthetic resources, being primarily hidden from view by existing substation equipment and/or within existing Con Edison property located within an existing industrial area. Since the transmission line will be installed primarily below grade, aside from four short aboveground segments at certain bridge crossings, upon completion of construction activities there will be minimal visual signs of the Project (mainly manholes and potentially aboveground markers to identify the presence of underground facilities). No major vegetation clearing in the vicinity of the recreation areas or residential developments will be required during construction. The construction activities for the installation of the pipe-type cable system will create a temporary visual impact, from the trenching and soil stockpiling, however there will be no long-term, adverse visual impacts attributable to the proposed transmission line.

The proposed tunneling activities in support of the transmission line crossing of the Harlem River will require the installation of two shafts, one on either side of the Harlem River. North of the Harlem River, the shaft and staging area will be placed within a parking lot belonging to Kingsbridge Associates, located south of West 225th Street and north of the MTA railroad line. South of the Harlem River, the shaft and staging area will be placed within a parking lot belonging to the New York Presbyterian Hospital, located off of 9th Avenue. Shaft construction will result in temporary visual impacts in the immediate vicinity.

The completed Academy Substation will enhance the aesthetic and urban design values in the Project area, and provide investment in the local economy at an underutilized industrial site that has been historically used for energy and utility use. The Academy Substation is being developed as a GIS substation in response to ongoing discussions with New York City representatives. The use of a GIS design minimizes the space required for the substation equipment along Academy Street and the adjacent Sherman Creek. The substation's design will be consistent with the City of New York's planned residential and commercial redevelopment of the Sherman Creek neighborhood, and the substation's façade will visually complement the

existing marinas located in the Project area, south of Sherman Creek. The substation's enclosed design also ensures the safety of the public and maximizes security for the substation.

Cultural Resources: The preferred transmission line route and the existing substation sites were reviewed to determine the presence or likely presence of archaeological and historic structures, artifacts, sites, and areas, and the impact of the proposed facilities on these resources. Cultural resources refer to both historic and archaeologically sensitive places. Due to intensive development within the area during the first quarter of the twentieth century, the majority of the recorded archaeological sites have been destroyed. Other sites in the Project area are likely compromised due to continued extensive development of the area. Though a few sites, discovered during the early twentieth century, are within the immediate Project area, it is highly unlikely that any intact archaeological deposits would remain due to extensive disturbance by utility services (including water, sewer, electrical, gas and telephone). Construction of the proposed transmission line and upgrades to the existing substations will have no impact on cultural resources. The proposed transmission line will be installed primarily within the curb-to-curb portion of the rights-of-way of public roadways. Prior disturbance along these rights-of-way essentially eliminates the potential for encountering significant archaeological sites along these routes. Furthermore, even though the proposed transmission line will occur adjacent to numerous National Register Listed properties, because the transmission line will be installed below grade or affixed to existing bridge structures, the Project poses no adverse direct or visual effect to these properties.

Terrestrial Ecology and Wetlands: The area traversed by the preferred route for the transmission line does not contain any unusual or unique ecological communities. The proposed transmission line will be installed within existing paved roadways for nearly the entire length from the Sprain Brook Substation to the Academy Substation. Accordingly, the vegetative communities within the Project area consist almost entirely of roadside areas and previously developed areas. Furthermore, because the work at the Sprain Brook Substation and the new Academy Substation will take place within the confines of an existing Con Edison substation and the site of the former Sherman Creek Generating Station, this substation work will not disturb any natural habitats. Potential impacts, if any, on these communities that could occur as a result of the construction and operation of the electric transmission line have been analyzed as part of this Application.

Topography, Hydrology, and Soils: The proposed 345 kV high-pressure, fluid filled (HPFF pipe-type) transmission line will be designed, constructed, operated and maintained to be

compatible with geologic conditions along the proposed transmission route and at the Sprain Brook and Academy Substation sites. The facilities will be designed and constructed in accordance with applicable building codes and other applicable local, state and federal regulations and requirements, except as noted in Exhibit 7 of the Application.

As the transmission line will primarily be placed in existing roadway right-of-ways, soil types and topography encountered along the transmission route are ideally suited to the common construction methods to be employed. When completed, the portion of the corridor excavated for the transmission line will be returned to its original topography and drainage conditions. A state-licensed contractor will dispose of excavated soils and asphalt at an appropriately licensed facility. Due to the previously developed nature of the proposed transmission route and the best management practices to be employed during the construction activities supporting the installation of the transmission facilities, adverse impacts as a result of soil excavation should not occur.

Due to the previously developed nature of the Sprain Brook Substation site, minimal excavation and grading will be required to install the new equipment in a manner that promotes good site drainage and controls stormwater runoff. Further, inasmuch as the design and installation of the new equipment and the pressurizing plant will be consistent with the existing equipment at the substation, potential risks associated with seismic events are minimal. The new Academy Substation is being developed on the site of a former power plant, and the new electrical equipment proposed as part of this Project would be installed entirely within the new substation building that will be constructed on the former power plants' foundation pad. As a consequence, the potential risks associated with seismic events are minimal. Further, because the new equipment shall be located entirely indoors, no excavation and grading activities are anticipated with the equipment installation.

An EM&CP will be prepared in accordance with the Erosion and Sediment Control, Best Management Practices Manual Series, Westchester County, N.Y., 1991 and the New York Guidelines for Urban Erosion and Sediment Control. With the implementation of best stormwater management practices, no environmental impacts are anticipated. All soils to be transported off-site would be disposed of in accordance with all applicable rules and regulations.

Water: Construction of the transmission facilities will require minimal water supply. If water is required for construction activities, such as for dust control, pavement cutting, etc., water will be

brought to the construction site in tanker trucks. No water supply will be required for the transmission facilities during operation. No changes to the Sprain Brook Substation's stormwater management, water supply, or sanitary demands are anticipated with the proposed substation improvements. Further, as the Academy Substation site currently comprises impervious surfaces, the proposed development will not result in an increase in impervious surfaces or in the volumes of stormwater generated. All pollutant sources (i.e., pressurization plant and transformers) will be located within the building at the Academy Substation, within secondary containment. Con Edison will prepare a Construction Stormwater Pollution Prevention Plan ("CSWPP") to avoid impacts to the local environment caused by uncontrolled stormwater runoff. During final design of the Project, Con Edison will work with the City of Yonkers, Westchester County, and the NYCDEP to ensure that the construction and operation of the transmission line and the operations of the substations do not have any impacts to existing infrastructure, including the water supply distribution, sanitary sewer, and stormwater sewer systems.

Traffic and Transportation: The Project's transmission line will be installed primarily within the curb-to-curb portion of the rights-of-way of public roadways. All construction will be conducted within guidelines set forth by the NYSDOT, the NYCDOT, and the City of Yonkers and Westchester County, as applicable. Consequently, no significant impacts on traffic are anticipated due to lane closures during the construction of the transmission line. Further, all Project-related work will commence and/or end prior to morning and evening peak periods to minimize traffic impacts. The traffic impacts along the preferred transmission line route will be minimized by the work that will progress over the route at multiple locations, rather than one location being the focus of construction activities for an extended period. The preferred construction time will be during non-peak load periods to minimize the impacts on the Con Edison transmission system. Con Edison will ensure that impacts to the surrounding community will be minimized. Operation of the proposed transmission line will not generate any traffic, with the exception of occasional maintenance activities.

Noise: Construction noise-related impacts from the installation of the trenched portion of the proposed transmission line are expected to be short-term at any given location and therefore minimal. Construction noise, while varying according to the equipment in use, will be mitigated by the attenuating effect of distance, the intermittent and short-lived character of the noise, and the use of functional mufflers on all construction equipment. Further, the nature of construction to be performed for the transmission line dictates that construction activities and associated noise levels will move along the construction corridor and that no one residence will be exposed to

significant noise levels for an extended period. When operational, the underground transmission line will not generate noise.

During the installation of the transmission line at the crossing of the Harlem River, increases in ambient noise levels would result from operation of **the shaft excavation and the road header machine**. An approximate **two-to-four** month timeframe would be required to complete **construction activities at each shaft**. **The entire duration of tunnel and shaft construction would last approximately one year**. These operations have the potential to result in significant, **but temporary**, noise impacts. Con Edison is **evaluating** noise mitigation measures to reduce the impact of this activity. Con Edison will discuss these mitigation measures with the City of New York and local residents. Proposed noise mitigation measures will be presented in the Project's EM&CP.

The construction activities associated with the installation of required new equipment at the Sprain Brook Substation and the new Academy Substation will generate some noise; however, as with the transmission line, construction will be short-term and corresponding impacts will be minimal. The new Academy Substation will be enclosed. Calculated offsite noise levels for the substation will be in compliance with New York City noise standards at both the Project lot line and at the nearest residences. Accordingly, operation of the completed Academy Substation is not expected to create any significant noise impacts. No new noise generating sources are planned for the Sprain Brook Substation. Accordingly, continued operation of the Sprain Brook Substation is also not expected to create any additional noise impacts.

Electric and Magnetic Fields (“EMF”): An analysis of potential EMF impacts associated with the proposed transmission line and the Sprain Brook and Academy Substations was conducted. Calculations performed to determine the EMF produced during peak load conditions indicate that the maximum magnetic field level directly above the centerline of the transmission line is approximately 3.8 mG. The calculated level decreases to approximately 0.4 mG at a distance of 20 feet from the centerline of the feeder, and to approximately 0.04 mG at a distance of 75 feet from the centerline of the feeder. These calculated magnetic field levels are well below the NYSPSC interim standard of 200 mG at the edge of the right-of-way. The buried 345 kV HPFF pipe-type cable will not produce electric fields because normal construction material and the soil above the feeder provides virtually total shielding. Accordingly, the proposed transmission line will not result in electric field levels exceeding the NYSPC interim standard of 1.6 kV/m for Article VII electric transmission lines. The addition of the M29 Transmission Line and its associated equipment (i.e., 345 kV circuit breakers) at the Sprain Brook Substation would

increase the magnetic field levels in some areas. The projected magnetic field levels along the east fence line at the Sprain Brook Substation are 33 mG to 55 mG. At the Academy Substation, calculated EMF levels will be well below the 200 mG NYSPSC standard at all locations. The calculated magnetic field levels: 1) are 2 mG or less along the east fence line, 2) are 3 mG or less along the south fence line, 3) range from 2 – 20 mG along the west fence line, and 4) range from 2 – 141 mG on W. 201st Street along the north fence line. The peak magnetic field levels here are due to the 138 kV transmission feeders that run from the Academy Substation to the Sherman Creek East and West Switchyards. The peak magnetic field directly above these feeders is 141 mG, but decreases rapidly to 10-20 mG within a lateral distance of approximately 25 feet.

Application Organization

The Application is organized as follows:

Project Information: Provides the Affidavit of Service, Statement of Publication (with copy of Public Notice), Matter of the Application, and Motion for Waivers.

Exhibit 1, General Information Regarding Application: Provides the name, address, and telephone number of the Applicant.

Exhibit 2, Location of Facilities: Provides detailed maps showing the routes of the Project transmission facilities and the location of the Sprain Brook and Academy Substations sites on aerial photographs and a NYSDOT map. This exhibit also provides a description of the Project.

Exhibit 3, Alternatives: Provides a discussion of the alternative structures, routes, and construction methods investigated for the Project.

Exhibit 4, Environmental Studies: Contains detailed analyses of the potential impacts on all environmental resource areas, including Land Uses; Aesthetics and Visual Resources; Cultural Resources; Terrestrial Ecology and Wetlands; Topography, Soils, and Hydrology; Noise; and Transmission Line and Substation EMF.

Exhibit 5, Design Drawings: Presents the centerline profile for the Project's transmission line and the Project's design standards.

Exhibit 6, Economic Effects of Proposed Facilities: Provides the anticipated economic effects of the construction and operation of the Project.

Exhibit 7, Local Ordinances: Provides a listing of local ordinances applicable to the Project.

Exhibit 8, Other Pending Filings: Identifies other pending filings with governmental departments or agencies, which concern the subject matter of the Project.

Exhibit 9, Cost of Proposed Facilities: Provides a statement regarding costs of the Project.

Exhibit E-1, Description of Proposed Transmission Facilities: Provides a detailed description of the proposed transmission facilities that comprise the Project.

Exhibit E-2, Other Facilities: Discusses facilities associated with the transmission line.

Exhibit E-3, Underground Construction: Provides a discussion of the Project transmission facilities, design standards and construction methods as related to underground construction.

Exhibit E-4, Engineering Justification: Provides the engineering justification for the Project, and discusses specific benefits with respect to reliability.

Exhibit E-5, Effect on Communications: Provides a statement describing the anticipated effects of the Project and related equipment on communication systems.

Exhibit E-6, Effect on Transportation: Provides a statement regarding the anticipated effect of the Project and associated construction on the surrounding transportation systems.

Pre-Filed Testimony: Provides expert testimony in support of the Application.

Appendices: Provide supporting information for the various studies and outreach efforts described within the Application.

Consolidated Edison Company of New York, Inc.

M29 Transmission Line Project

Project Information

Service List

Affidavit of Publication (with copy of Public Notice)

Matter of the Application

Motion for Waivers

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
M29 TRANSMISSION LINE PROJECT
PUBLIC SERVICE LAW ARTICLE VII APPLICATION
SERVICE LIST**

State Agencies and Officials

The Honorable Jaclyn A Brilling (10 copies)
Secretary to the Commission
NYS Public Service Commission
Three Empire State Plaza, 14th Floor
Albany, New York 12223-1350

The Honorable Patrick H. Brennan
Acting Commissioner
NYS Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

The Honorable Denise M. Sheehan
Commissioner
NYS Dept of Environmental Conservation
625 Broadway
Albany, New York 12233-1011

Mrs. Margaret Duke, Environmental Permits
NYS Dept of Environmental Conservation
Region 3 Office
21 South Putt Corners
New Paltz, New York 12561

The Honorable Thomas J. Madison, Jr.
Commissioner
New York State Department of Transportation
50 Wolf Road
Albany, New York 12232

Mr. John Cryan, Environmental Permits
NYS Dept of Environmental Conservation
Region 2 Office
One Hunters Point Plaza
47-40 21st Street
Long Island City, New York 11101-5407

The Honorable Christopher L. Jacobs
Secretary of State
New York State Department of State
41 State Street
Albany, New York 12231-0001

The Honorable Bernadette Castro
Commissioner
New York State Office of Parks, Recreation
and Historic Preservation
Agency Building 1, 20th Floor
Empire State Plaza
Albany, New York 12238

NYS Assemblyman Louis A. Mosiello
93rd Assembly District
35 East Grassy Sprain Road, 4th Floor
Yonkers, New York 10710

The Honorable Charles A. Gargano
Commissioner
Empire State Development Corporation
633 Third Avenue, 33rd Floor
New York, New York 10017-6706

NYS Assemblyman J. Gary Pretlow
87th Assembly District
48 N. Broadway
Yonkers, New York 10701

NYS Assemblyman Jeffrey Dinowitz
81st Assembly District
3107 Kingsbridge Avenue
Bronx, New York 10463

NYS Assemblyman Jose Rivera
78th Assembly District
2488 Grand Concourse, Room 416
Bronx, New York 10458

NYS Assemblyman Adriano Espaillat
72nd Assembly District
210 Sherman Avenue, Suite A
New York, New York 10034

NYS Senator Nick Spano
35th Senate District
Room 509 Legislative Office Building
1 Executive Boulevard
Yonkers, New York 10701

NYS Senator Jeff Klein
34th Senate District
3713 East Tremont Avenue, Lower Level
Bronx, New York 10465

NYS Senator Efrain Gonzalez, Jr.
33rd Senate District
1780 Grand Concourse, 1st Floor
Bronx, New York 10457

NYS Senator Eric T. Schneiderman
31st Senate District
80 Bennett Avenue, Ground Floor
New York, New York 10033

Westchester County Representatives

The Honorable Andrew J. Spano
Westchester County Executive
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

The Honorable Clinton I. Young, Jr.
Westchester County Legislator – District 13
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Mr. Stewart M. Glass
Senior Assistant County Attorney
County of Westchester
148 Martine Avenue - Room 600
White Plains, New York 10601

Municipal Officials

Mr. Phillipe A. Amicone
Mayor, City of Yonkers
City Hall
Yonkers, New York 10701

Mr. Chuck Lesnick
President, Yonkers City Council
City Hall
Yonkers, New York 10701

Mr. Lee J. Ellman,
Planning Director, City of Yonkers
Planning Bureau City of Yonkers
87 Nepperhan Avenue, Suite 320
Yonkers, NY 10701

Mr. Scott Stringer
Manhattan Borough President
1 Centre Street, 19th Floor
New York, New York 10007

New York City Mayor
Michael R. Bloomberg
City Hall
New York, New York 10007

Mr. Martin Collins, Chair
Community Board 12, Washington Heights &
Inwood
711 West 168th Street
New York, NY 10032

Ms. Wendy Garcia,
Community Liaison
Office of the Manhattan Borough President
163 W. 125th Street, 5th Floor
New York, New York 10027

Mr. Adolfo Carrion, Jr.
Bronx Borough President
851 Grand Concourse
Bronx, New York 10451

Mr. Bradford Treback, Chairman,
Environment & Sanitation Committee
Community Board 8, Bronx
5676 Riverdale Avenue
Bronx, New York 10471

Libraries

Yonkers Public Library
Riverfront Library
1 Larkin Center
Yonkers, New York 10707

New York Public Library
Spuyten Duyvill Branch
650 W. 235th Street
Bronx, New York 10463

New York Public Library
Inwood Branch
4790 Broadway
New York, New York 10034-4916

New York Public Library
Riverdale Branch
5540 Mosholu Avenue
Bronx, NY 10471

Active Parties

Mr. Paul Agresta, Esq.
NYS Dept. of Public Service
Office of General Counsel
Three Empire State Plaza
Albany, New York 12223-1350

Mr. David Drexler, Esq.
NYS Dept. of Public Service
Office of General Counsel
Three Empire State Plaza
Albany, New York 12223-1350

Mr. Timothy P. Whelan, Esq.
Associate General Counsel
Office of Legal Affairs & Risk Management
New York Presbyterian Hospital
525 East 68th Street
New York, New York 10021

Mr. Peter M. Metzger, Esq.
Cullen and Dykman LLP
44 Wall Street, 17th Floor
New York, New York 10005-2407

Mr. Marvin B. Mitzner, Esq.
Cozen O'Connor Attorneys
909 Third Avenue
New York, New York 10022

Ms. Kathy Scopp/ Ms. Abby Strauss
Time Warner Cable
120 East 23rd Street
New York, New York 10010

Mr. Cecil Corbin-Mark
Director of Programs
WE ACT for Environmental Justice, Inc
271 West 125th Street, Suite 308
New York, New York 10027

Mr. Leon Tulton,
MPH Environmental Health Coordinator
WE ACT for Environmental Justice, Inc
271 West 125th Street, Suite 308
New York, New York 10027

Honorable Robert Jackson
New York City Council
751 West 183rd Street
New York, NY 10033

Mr. Michael J. Delaney, Vice President-
Regulatory Affairs
New York City Economic Development Corp.
110 William Street, Fourth Floor
New York, New York 10038

Mr. William Plache
Assistant Corporation Counsel
New York City Law Department
100 Church Street, 6th Floor
New York, New York 10007

Honorable Miguel Martinez
New York City Council
601 West 174th Street – 1A
New York, NY 10033

NOTICE OF APPLICATION BY CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

GENERAL INFORMATION

Consolidated Edison Company of New York, Inc. ("Con Edison") intends to file an application with the New York State Public Service Commission ("NYSPSC") for a Certificate of Environmental Compatibility and Public Need under Article VII of the New York State Public Service Law authorizing the construction and operation of a new, primarily underground, electric transmission line from Con Edison's existing Sprain Brook Substation, generally located between Lakeview Avenue and Tuckahoe Road in the City of Yonkers, to a new transmission switching station to be built in the Inwood section of Manhattan at the site of Con Edison's former Sherman Creek Generating Station between West 201st Street and Academy Street. This Notice is published in accordance with NYSPSC regulations set forth at 16 NYCRR § 85-2.10(c). During the course of the proceeding commenced by the filing of the application, alternate routes or route segments not presently under consideration may be offered without further notice by newspaper publication. In addition, the NYSPSC may, without further notice by newspaper publication, approve routes for the transmission line that traverse municipalities other than those enumerated in this notice. A copy of the application will be served upon the mayors of the Cities of New York and Yonkers, and on the Borough Presidents of Manhattan and the Bronx on the same date that the application is filed with the NYSPSC.

DESCRIPTION OF PROPOSED FACILITY

Con Edison is planning to construct an approximately 9.5-mile long, 345 kV high-pressure, fluid-filled transmission line, primarily underground, between Con Edison's Sprain Brook Substation in Yonkers and a new transmission switching station, referred to as the Academy Substation, at the site of Con Edison's former Sherman Creek Generating Station in the Inwood section of Manhattan. The transmission line, designated M29, will consist of one feeder, comprised of three 2,500 or 3,000 kcmil paper-insulated copper conductors. At certain locations in Yonkers and the Bronx the feeder will be mounted to the underside, or within the sub-roadway, of existing aboveground bridges along the preferred route. Equipment required to accommodate the new feeder will be added at the existing Sprain Brook Substation and at the new Academy Substation.

PREFERRED ROUTE

The transmission line would be installed primarily within the curb-to-curb portion of the rights-of-way of public roadways. The preferred route for the transmission line begins at Con Edison's Sprain Brook Substation and heads southwest along the Sprain Brook Substation access road to the intersection with Tuckahoe Road. The transmission route then turns west along Tuckahoe Road to the intersection with Saw Mill River Road. Along Tuckahoe Road, the transmission line would cross under the New York State Thruway (Interstate 87) and cross over the New York City New Croton Aqueduct via the Tuckahoe Road Bridge. At the intersection of Tuckahoe Road and the Saw Mill River Road (State Route 9A), the line would travel along Saw Mill River Road until the intersection with Old Nepperhan Avenue, where it would turn west. At Old Nepperhan Avenue the route veers northwest and crosses the Saw Mill River via the Old Nepperhan Bridge. The line then turns southwest to the intersection with Nepperhan Avenue. At Nepperhan Avenue, the line would continue south to the intersection with Ashburton Avenue, and then again travel across the Saw Mill River and the

New York City Croton Aqueduct on the Nepperhan Avenue Bridge. From the Nepperhan Avenue Bridge the route travels southwest to the intersection of Nepperhan Avenue and Broadway (State Route 9). The transmission line crosses Broadway where Nepperhan Avenue becomes Prospect Street. The feeder would continue west on Prospect Street to the intersection with Riverdale Avenue. The route turns south on Riverdale Avenue to the City of Yonkers/City of New York (Bronx County) boundary. The total distance of the preferred route through the City of Yonkers is approximately five miles.

In the Bronx, the transmission line would continue along Riverdale Avenue and enter the Henry Hudson Parkway western service road. The line would continue on the western service road and turn east on West 252nd Street, crossing the Henry Hudson Parkway via the West 252nd Street Bridge. The line would then travel south on Riverdale Avenue, parallel to the main Henry Hudson Parkway and continue southeast on Riverdale Avenue to West 230th Street, continuing southeast on West 230th Street to the intersection with Broadway. At this point the line would turn south, crossing the boundary between Bronx and New York Counties, and continue along Broadway where it turns slightly east and enters the New York City Housing Authority's Marble Hill Houses complex in the vicinity of Broadway and West 225th Street. The total distance of the preferred route through the Bronx is approximately three miles.

From the Marble Hill Houses complex on the Bronx side of the Harlem River, the transmission line would cross underneath West 225th Street and properties between West 225th Street and the Harlem River owned by the Metropolitan Transit Authority and Kingsbridge Associates, pass beneath the Harlem River, and, on the Manhattan side of the river, pass under properties between Ninth Avenue and the river owned by New York-Presbyterian Hospital and Time Warner Inc. The line would then continue south on Ninth Avenue until it turns due west on West 219th Street. At the intersection with Broadway, the line turns south again following Broadway to the intersection of West 204th Street. The route turns southeast to follow West 204th Street to the intersection of Tenth Avenue, where the line turns south to the intersection with West 201st Street. At West 201st Street the line would turn east and continue to its terminus at the new Academy Substation. The total distance of the preferred route through New York County (including the Harlem River crossing) is approximately 1.5 miles.

Alternative routes and locations will also be evaluated in the application.

DATE OF APPLICATION FILING

Con Edison expects to file an Article VII application with the NYSPSC on or about June 14, 2006. Copies of the application will be available for public inspection during normal business hours at the Riverfront Library of the City of Yonkers Public Library, 1 Larkin Center, Yonkers, New York 10701; the Riverdale Branch of the New York Public Library, 5540 Mosholu Avenue, Bronx, New York 10471; the Spuyten Duyvil Branch of the New York Public Library, 650 West 235th Street, Bronx, New York 10463; the Inwood Regional Branch of the New York Public Library, 4790 Broadway, New York, New York 10034; and the New York State Department of Public Service offices in Albany at the Department of Public Service, Central Files, 14th Floor, Three Empire State Plaza, Albany, New York 12223. For more information or assistance concerning the application, interested persons may contact Jeffrey L. Riback, Esq., Assistant General Counsel, Consolidated Edison Company of New York, Inc., 4 Irving Place, New York, NY 10003, at 212-460-6677 or at ribackj@coned.com.

AFFIDAVIT OF PUBLICATION

from

The Journal News

Erick Murph being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: The two-character code to the left of the run dates indicates the zone(s) that the ad was published. (See Legend below)

Zone	Dates
AS	6-1-2006

Signed Erick Murph

Sworn to before me
This 7 day of June 2006

LOLA M. HALL
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01HA6112693
QUALIFIED IN WESTCHESTER COUNTY
TERM EXPIRES JULY 6, 2008

Lola M. Hall
Notary Public, Westchester County

Legend:
Northern Area (AN):
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolnale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson
Central Area (AC):
Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains
Southern Area (AS):
Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers
Rockland Area (JN or RK):
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiels, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack
Patent Trader (PT):
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff, Chappaqua, Cortlandt Manor, Cross River, Croton Falls, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolnale, Millwood, Mohegan Lake, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Pudrys, Shrub Oak, Somers, South Salem, Thornwood, Verplanck, Waccabuc, Yorktown Heights
Review Press (BVW):
Bronxville, Eastchester, Scarsdale, Tuckahoe

C 6461362

AFFIDAVIT OF PUBLICATION

from

The Journal News

Erick Murph

_____ being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: The two-character code to the left of the run dates indicates the zone(s) that the ad was published. (See Legend below)

Zone AS Dates 6-7-2006

Signed Erick Murph

Sworn to before me

This 7 day of June 2006

Lola M. Hall

LOLA M. HALL
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01HA6112693
QUALIFIED IN WESTCHESTER COUNTY
TERM EXPIRES JULY 6, 2008

Notary Public, Westchester County

Legend:

Northern Area (AN):

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

Central Area (AC):

Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains

Southern Area (AS):

Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers

Rockland Area (JN or RK):

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Patent Trader (PT):

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff, Chappaqua, Cortlandt Manor, Cross River, Croton Falls, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdys, Shrub Oak, Somers, South Salem, Thornwood, Verplanck, Waccabuc, Yorktown Heights

Review Press (BVW):

Bronxville, Eastchester, Scarsdale, Tuckahoe

C6461362

State of New York

COUNTY OF NEW YORK

SS:

Maranda Greene being duly sworn,
says that he/she is the principal Clerk of the Publisher
of the

New York Post

a daily newspaper of general circulation printed and
published in the English language, in the County
of New York, State of New York; that advertisement
hereto annexed has been regularly published in
the said "NEW YORK POST" once,
on the 1, 7 day of JUNE 2006

Maranda Greene

Sworn to before me this 7 day
of June 2006

Byron Stevens

NOTARY PUBLIC

BYRON STEVENS
Notary Public, State of New York
No. 018T6117803
Qualified in New York County
Commission Expires November 1, 2008

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

----- X

:

IN THE MATTER of the Application of :
Consolidated Edison Company of New York, Inc. :
for a Certificate of Environmental Compatibility and :
Public Need Pursuant to Article VII of the Public :
Service Law for the M29 Transmission Line Project, :
Westchester, Bronx, and New York Counties, New :
York :

CASE NO. 06-_____

:

----- X

APPLICATION

Pursuant to Public Service Law § 122 and its implementing regulations at 16 NYCRR § 85-2.8, Consolidated Edison Company of New York, Inc. (“Con Edison” or the “Applicant”) makes application under Article VII of the Public Service Law for a Certificate of Environmental Compatibility and Public Need to construct and operate a 345 kV high-pressure fluid-filled (HPFF pipe-type), primarily underground, transmission line and related substation upgrades in Westchester, Bronx and New York Counties, New York (the “M29 Transmission Line Project” or the “Project”).

Description of the proposed facility. Con Edison is proposing to construct and operate a new 345 kV high-pressure fluid-filled (HPFF pipe-type), primarily underground, transmission line along an approximately 9.5-mile route through portions of Westchester County, the Bronx, and upper Manhattan. The transmission line will consist of a single feeder and will connect Con Edison’s existing Sprain Brook Substation in the City of Yonkers with Con Edison’s new Academy Substation in the Inwood section of upper Manhattan. The primarily underground HPFF pipe-type transmission line will consist of three 2,500 or 3,000 kcmil paper-insulated copper conductors. Each cable consists of a stranded and segmented-type copper conductor; a

semi-conducting conductor shield; layers of paper insulating tapes; an insulation screen; a moisture seal; and skid wires to facilitate cable pulling. The area between the cable conductor and pipe is filled with a high-quality dielectric fluid pressurized to increase unit dielectric strength and suppress ionization in the insulation. The feeder pressurization will be provided by the dielectric fluid that will be kept at a static pressure by the pressurizing plants located at each of the two substations. The HPPF pipe-type transmission feeder will also be equipped with internal spill containment measures and will employ a comprehensive leak detection system to rapidly identify (and ensure the swift repair of) a dielectric fluid leak if one were to occur. A detailed description of the proposed facility is set forth in Exhibit E-1 of the Application.

Statement of the location of the proposed site or right-of-way. The proposed facility would be a new, primarily underground, transmission line extending from Con Edison's existing Sprain Brook Substation in the City of Yonkers to its new Academy Substation in the Inwood section of upper Manhattan. A detailed description of the proposed route and location of the Sprain Brook and Academy Substations is set forth in Exhibit 2 of the Application. The proposed transmission line is approximately 9.5 miles in length and will be installed primarily within the curb-to-curb portion of the rights-of-way of public roadways. The substation improvements required in support of the new transmission line will be completed within the existing fence and property lines of the Sprain Brook and Academy Substations.

Summary and description of the Project's environmental impact studies. TRC Environmental (and Electric Research & Management, Inc., for electric and magnetic field analysis) conducted environmental studies and impact assessments related to Project construction and operation on behalf of the Applicant. The subject matters covered include land uses, aesthetic and visual resources, cultural resources, terrestrial ecology and wetlands, topography and soils; water resources, traffic, noise, communications, and electric and magnetic fields. The findings of these studies are presented in Exhibits 4, E-5, and E-6 of the Application.

Need for the proposed facility. The M29 Transmission Line Project is designed to meet both near-term and anticipated long-term electric load growth within Con Edison's service territory. Specifically, the M29 Transmission Line will enhance reliability of electric load supply into upper Manhattan and the Bronx, which has seen rapid and significant load growth over the last few years, and provide increased electric system stability in portions of Westchester County. Additionally, the Project will increase the supply capacity of the Sherman Creek Substation, which serves portions of the Bronx and upper Manhattan, including Inwood and Washington Heights. Further, Con Edison's ability to import power into New York City will increase by about 300 MW, thereby allowing the increased delivery of economy power to its in-City customers. A detailed description of the engineering and economic justification for the Project is contained in Exhibits 6 and E-4 of the Application.

Description of any reasonable alternate locations or routes for the Project. A detailed discussion of the route selection process for the Project is provided in Exhibit 3 of the Application. Exhibit 3 provides a description of the comparative merits of various routes and sites considered, and reviews alternative technologies. Exhibit 3 also considers a no-action alternative and the feasibility of demand-side management and distributed generation. The route alternatives analysis considered: the location of existing substation facilities and the desire to maintain a direct route between the Sprain Brook and Academy Substations along existing public roadway rights-of-way to minimize the number of bends and manholes along the final route; a desire to avoid constructibility issues that would result in the need for specialized construction methods; a desire to minimize work within major transportation corridors; and a route that minimized, to the extent practicable, temporary disruption to sensitive land uses (e.g., schools, hospitals). Exhibit 3 establishes a detailed basis for the determination that the selected route of the transmission line is best suited for the Project.

Other relevant information. Exhibit 7 of the Application provides information on local ordinances and requests the Commission to grant waivers of specified provisions of those local ordinances, which the Applicant believes would be unduly restrictive if applied to the Project.

WHEREFORE, Consolidated Edison Company of New York, Inc. respectfully requests that the Public Service Commission issue an order pursuant to Article VII of the Public Service Law granting:

1. A Certificate of Environmental Compatibility and Public Need for the proposed M29 Transmission Line Project as herein described;
2. A Water Quality Certificate in accordance with Section 401 of the Clean Water Act; and
3. Such other and further authorizations, consents, permission, and approvals as may be necessary for the construction, operation, and maintenance of the facilities herein proposed, including, but not limited to, the waivers of local ordinances described in Exhibit 7 of the Application.

Dated: June 13, 2006

Respectfully submitted,

CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.

By: 

Jeffrey L. Riback, Esq.
Assistant General Counsel
4 Irving Place, Room 1820
New York, New York 10003
(212) 460-6677

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

----- X

:

IN THE MATTER of the Application of :
Consolidated Edison Company of New York, Inc. :
for a Certificate of Environmental Compatibility and :
Public Need Pursuant to Article VII of the Public :
Service Law for the M29 Transmission Line Project, :
Westchester, Bronx, and New York Counties, New :
York :

CASE NO. 06-_____

:

----- X

**CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.’S MOTION FOR
WAIVERS OF APPLICATION REQUIREMENTS**

Pursuant to 16 NYCRR § 85-2.4, and as part of its filing for a Certificate of Environmental Compatibility and Public Need for the M29 Transmission Line Project, Consolidated Edison Company of New York, Inc. (the “Applicant”) respectfully requests that the Commission waive or modify applicability of the following sections of the Commission’s regulations relating to information to be included in an application filed pursuant to Public Service Law Article VII.

16 NYCRR § 86.3(a)(1)(i): Submit detailed maps, drawings and explanations for the proposed right-of-way covering an area of at least five miles on either side of the proposed facility location.

The Applicant requests a modification of the requirement to submit detailed maps, drawings, and explanations, including New York State Department of Transportation (“NYSDOT”) 1:24,000 scale maps showing the proposed right-of-way covering an area of at least five miles on either side of the proposed facility location. As set forth in the Application, the Project consists of a relatively short length (approximately 9.5 miles) of transmission line extending from the existing Sprain Brook Substation in the City of Yonkers, Westchester

County, to the new Academy Substation in upper Manhattan. Given that the new transmission line will be located primarily underground and that the substation improvements required in support of the new transmission line will be completed within the existing fence and property lines of the Sprain Brook and Academy Substations, the Applicant requests that the Commission modify the requirements of § 86.3(a)(1) and allow the Applicant to provide NYSDOT maps, drawings and explanations for the proposed rights-of-way and substation facilities covering an area of one mile on either side of the Project components.

16 NYCRR § 86.3(a)(1)(iii): Submit detailed maps, drawings and explanations for known archaeologic, geologic, historical or scenic area, park or untouched wilderness on or within three miles of the right-of-way.

The Applicant requests a modification of the requirement to submit detailed maps, drawings, and explanations relating to any “known archaeologic, geologic, historical, or scenic area, park, or untouched wilderness on or within three miles of the right-of-way.” As set forth in the Application, the proposed transmission line will be located primarily underground along existing roadway rights-of-way. The proposed substation improvements required in support of the new transmission line will be completed within the existing fence and property lines of the Sprain Brook and Academy Substations. Considering the urban setting of the Project area, it is impractical to map all of the historic resources and parks that have been identified within one-mile of the Project right-of-way at the required scale. All of these resources are identified in Table 4.3-1 in Exhibit 4 of the Application, and the planned construction and underground installation of the proposed transmission line will not result in any significant impacts to historic or recreational resources, particularly those resources that are farther removed from the Project right-of-way. Consequently, the Applicant requests that the Commission waive the § 86.3(a)(1)(iii) three-mile radius and accept identification of these resources within one-mile of

the Project right-of-way and mapping of only those resources that are located directly adjacent to the preferred Project route.

16 NYCRR § 86.3(a)(2): Submit detailed maps, drawings and explanations for the right-of-way of the proposed facility, including NYSDOT maps showing the relationship of the proposed facility to the Applicant's overall system.

The Applicant requests a waiver of the requirement to submit detailed maps, drawings, and explanations, including NYSDOT 1:250,000 scale maps showing the relationship of the proposed facility to the Applicant's overall system. The Application includes Figure 2-2, which shows a portion of the 1993 New York Power Pool Map showing the Project area and the Applicant's electric transmission system in the New York metropolitan area. Given that the interface of the proposed facility with the existing Con Edison transmission system is limited to two discrete points, the interconnections at the existing Sprain Brook and Academy Substations, which are clearly shown in Figure 2-1 of the Application, and that the information required by this regulation is effectively presented on Figures 2-2, the Applicant requests that the Commission waive the strict requirements of § 86.3(a)(2).

16 NYCRR § 86.3(b)(2): Submit detailed maps, drawings and explanations for the right-of-way of the proposed facility, including aerial photographs of urban areas and urbanizing fringe areas taken within six months of the date of filing.

The Applicant requests a waiver of the requirement to submit detailed maps, drawings, and explanations for the rights-of-way of the proposed facility, including aerial photographs of urban areas and urbanizing fringe areas taken within six months of the date of filing. The timing of the engineering design of the Project has resulted in the unavailability at the date of Application filing of confirmed current (i.e., within six months of date of filing) aerial photography for the Project's preferred route. The Applicant has substituted for this requirement,

aerial photographs of the Project area that were acquired in December 2004 by Geomaps International Inc. The Applicant believes that the substituted aerial photography is sufficiently recent to meet the Commission's needs for its review of the Application because the vast majority of the route of the proposed transmission corridor is located within existing public roadway rights-of-way, which are located within a developed, urban/suburban setting that pre-dates the six month period prior to the submittal of this Application. Accordingly, the Applicant requests that the Commission waive the six-month requirement of § 86.3(b)(2) with respect to this Application's aerial photography.

Dated: June 13, 2006

Respectfully submitted,

CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.

By: 

Jeffrey L. Riback, Esq.
Assistant General Counsel
4 Irving Place, Room 1820
New York, New York 10003
(212) 460-6677