

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on April 23, 2008

COMMISSIONERS PRESENT:

Garry A. Brown, Chairman
Patricia L. Acampora
Maureen F. Harris
Robert E. Curry, Jr.
Cheryl A. Buley

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 M-29 Transmission Line
Project

ORDER GRANTING APPROVAL
OF REMAINING PORTION OF THE
ENVIRONMENTAL MANAGEMENT AND CONSTRUCTION PLAN

(Issued and Effective April 28, 2008)

BY THE COMMISSION:

INTRODUCTION

On August 23, 2007 (August 23, 2007 Order), the Commission granted a Certificate of Environmental Compatibility and Public Need (Certificate) to Consolidated Edison Company of New York, Inc. (Con Edison or Company) to construct and operate a 345 kilovolt, high-pressure, fluid-filled, pipe type underground transmission line. The line, referred to as M-29, is located primarily within the curb-to-curb portion of public roadways in Yonkers, Riverdale, the Bronx and upper Manhattan, connecting the existing Sprain Brook substation in Yonkers to the new Academy Street substation in the Inwood section of upper Manhattan. The total length of the underground transmission facility is about 9.5 miles.

The August 23, 2007 Order also approved portions of Con Edison's detailed plans for the construction of the facility contained in the Environmental Management and Construction Plan (EM&CP). While the portions of the EM&CP regarding the substations were determined to be acceptable, Con Edison was ordered to revise its EM&CP to address and reflect comments and concerns raised by DPS Staff, the administrative law judge, and intervenors.

On November 2, 2007, the Company submitted a revised EM&CP and forwarded copies to the Active Parties List for comment. The submittal included detailed construction plans for the transmission line between the Sprain Brook and Academy Street substations, and preliminary drawings for the tunnel to be used to cross the Harlem River. Although the portions of the EM&CP covering the transmission line were approved on December 13, 2007, Con Edison was directed to submit a final set of construction drawings for the Harlem River crossing.

On February 19, 2008 Con Edison submitted revised construction drawings and plans for the Harlem River Tunnel portion of the project and appurtenant facilities. On February 29, 2008, comments were submitted by Kingsbridge Associates, LLC (Kingsbridge), who is the owner of real property on the Bronx side of the Harlem River on which Con Edison seeks to build the tunnel shaft and appurtenant structures.

LOCATION AND DESCRIPTION OF THE FACILITIES

The remaining portion of M-29 line, for which Con Edison seeks approval of its EM&CP, begins where the line enters private property south of West 225th Street in the Bronx and crosses via tunnel under the Harlem River into Manhattan, emerging on property owned by The New York and Presbyterian Hospital. In addition to the underground tunnel, Con Edison seeks approval for construction of a "Head House" on the Bronx side of the crossing adjacent to the tunnel entrance. The Head House will contain ventilation and other equipment necessary to protect the facilities from flooding.

The "Head House" will consist of a rectangular above-ground structure approximately 42 feet in length, 24 feet in width and 25 feet in height. It will service the Harlem River Tunnel which will be approximately 24 feet in diameter and descend 152 feet on the Bronx side, run horizontally for approximately 672 feet, and ascend 166 feet to the Manhattan side.

COMMENTS AND DISCUSSION

No objections to Con Edison's revised EM&CP were received. The only comments received on the EM&CP were submitted by Kingsbridge, which indicates that it has been working closely with Con Edison to design and locate the Head House to minimize the commercial and environmental impacts on their property. Kingsbridge advises that it has no objections to Con Edison's proposed plans.

As revised, the EM&CP contains final construction drawings for the Harlem River Tunnel and adequately addresses environmental and construction related issues. Accordingly, we find that the remaining portion of EM&CP is acceptable.

The Commission orders:

1. The Environmental Management and Construction Plan segment submitted by the Consolidated Edison Company of New York, Inc. on February 19, 2008, is approved.

2. This proceeding is continued.

By the Commission,

(SIGNED)

JACLYN A. BRILLING
Secretary