

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Office of the General Counsel

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April 12, 2021

### **Via Electronic Filing**

The Honorable Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
Room 1A East  
888 First Street, N.E.  
Washington, D.C. 20426

Re: Premium Energy Holdings, LLC (Docket No. P-15056-000);  
New York State Department of Environmental Conservation Notice of Intervention

Dear Secretary Bose:

Enclosed is the notice of intervention of the New York State Department of Environmental Conservation (NYSDEC) in the above-referenced proceeding, submitted by electronic filing and distributed to persons identified on the associated Federal Energy Regulatory Commission (FERC) service list (Service List) by the preferred method identified therein. Please add those identified herein as the Department's representatives to the Service List. Thank you.

Very truly yours,



Sita Crouse, Esq.  
Associate Attorney

Encl.

cc: FERC Service List  
Chris Hogan, NYSDEC

BEFORE THE  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Premium Energy Holdings, LLC  
Docket No. P-15056-000

NOTICE OF INTERVENTION

Pursuant to Rule 214 of the Rules and Practice and Procedure [18 CFR Section 385.214], the New York State Department of Environmental Conservation (NYSDEC) hereby provides notice to the Federal Energy Regulatory Commission (Commission) that it is intervening in the above-captioned proceeding. The persons to whom communications regarding this Petition should be addressed and upon whom service of all pleadings or other documents in this proceeding should be made are:

Sita Crouse, Esq.  
Associate Attorney  
Office of General Counsel  
NYSDEC  
625 Broadway  
Albany, New York 12233-1500  
Phone: (518) 402-9198  
sita.crouse@dec.ny.gov

Chris Hogan  
Chief, Major Project Management Unit  
Division of Environmental Permits  
NYSDEC  
625 Broadway  
Albany, New York 12233-1750  
Phone: (518) 402-9151  
chris.hogan@dec.ny.gov

As grounds for its Notice of Intervention, NYSDEC respectfully asserts:

1. NYSDEC is a duly constituted Department of the Government of the State of New York, charged by law with administrative management of the State's fish, wildlife, water, air, and other natural resources.
2. The proposed project is located wholly within the State of New York and could result in significant to impacts the natural resources and environment of the State.
3. As the agency of the State of New York responsible for administering the State's Environmental Conservation Law (McKinney's Consolidated Laws of New York Annotated, Volume 17 1/2) (ECL), NYSDEC is the State agency most intimately involved with and responsible for analyzing environmental impacts from hydroelectric projects. NYSDEC's resources, expertise and familiarity with the locale of the projects and related resources will be of considerable assistance to the Commission during the course of the above-captioned proceeding.
4. NYSDEC is the State agency charged by law to consider and, upon proper showing, to issue water quality certifications for hydroelectric facilities pursuant to Section 401 of the Clean Water Act [33 U.S.C. Section 1341]. NYSDEC's participation as an agency of the Executive branch of the New York State government is in the public interest, as well as in the interest of the public health, welfare and the environment.
5. No disruption to this proceeding will result from granting NYSDEC party status.
6. NYSDEC's interest is not adequately represented by any other party hereto.
7. Existing parties will not be prejudiced by, nor will they sustain any additional burden by NYSDEC becoming a party to this proceeding.

**WHEREFORE**, NYSDEC does not request a hearing in this proceeding at this time; however, if a hearing is ordered, NYSDEC further requests that it be granted the right to have notice of and an opportunity to appear at all hearings in this proceeding, to produce evidence and witnesses, to cross-examine witnesses, and to be heard by counsel or other representatives for briefing and oral argument if oral argument is granted.

Respectfully submitted,

NYS Department of Environmental Conservation



Sita Crouse, Esq.  
Associate Attorney

Dated: April 12, 2021  
Albany, New York

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled in this proceeding by the Secretary to the Commission in the particular manner specified therein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sita Crouse', written in a cursive style.

Sita Crouse, Esq.

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NYS Department of Environmental Conservation  
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Dated: April 12, 2021  
Albany, New York