

NEW YORK STATE BOARD ON ELECTRIC
GENERATION SITING AND THE ENVIRONMENT

CASE 17-F-0597 - Application of High River Energy Center, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility Located in the Town of Florida, Montgomery County.

RULING ON SCHEDULE

(Issued July 1, 2020)

SEAN MULLANY AND RICHARD SHERMAN, Examiners:

At a telephonic procedural conference held April 30, 2020, the parties' jointly proposed schedule for litigating this case was discussed at length. At that time, the Citizens for Responsible Solar Farm Placement expressed concerns about certain still-pending supplemental studies related to the proposed alternative layout for the Project. The Applicant responded by indicating that the supplemental studies would soon be available. No party offered an alternative to the jointly proposed litigation schedule. The Examiners then informed the parties that they would take the litigation schedule proposed by the parties under advisement.

The Applicant circulated the supplemental studies to the parties in mid-May and, on May 27, 2020, filed a notice of impending settlement negotiations. We understand that the Applicant has circulated, to all parties participating in settlement negotiation, proposed certificate conditions and other proposed documents, and that settlement discussions are still being actively pursued. The Applicant has expressed its view that all parties actively engaged in settlement discussion have sufficient time to adhere to the parties' jointly proposed

litigation schedule. The Applicant has also expressed its view that intervenor parties that are not seeking settlement have had sufficient time to adhere to the schedule previously proposed jointly by all parties.

We agree that the jointly proposed litigation schedule provides the parties with adequate opportunity to prepare their testimony and exhibits. Accordingly, we hereby adopt the parties' proposed litigation schedule, as follows:

DATE	PROCESS STEP
Friday, July 17, 2020	Agency/Intervenor Party Direct Testimony and Exhibits
Friday, August 21, 2020	Rebuttal Testimony & Exhibits
Wednesday, September 23, 2020	Evidentiary Hearing Commences

The schedule for post hearing briefs will be addressed at the conclusion of the evidentiary hearing.

(SIGNED)

SEAN MULLANY

(SIGNED)

DANIEL P. O'CONNELL