



Information & Updates about the Flat Creek solar project

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“Article VIII” Explained

Article VIII is the portion of the of the Public Service Law that guides the permitting process for all large renewable projects. In April 2024, the Renewable Action through Project Interconnection and Development (RAPID) Act took effect with the following actions:

- ▶ Repealed the previously applicable Section 94-c
- ▶ Replaced the former Public Service Law article VIII with a new one – Siting of Renewable Energy and Electric Transmission (Article VIII)
- ▶ Transferred the Office of Renewable Energy Siting (ORES) to the Department of Public Service

WHAT DO THESE CHANGES MEAN?

These changes have no major effect on the Flat Creek solar project. The RAPID Act moved ORES from the Department of State to the Department of Public Service. ORES still oversees the permitting processes for major renewable facilities and has assumed control of all existing functions, powers, duties, and obligations related to major electric transmission siting.

The former 94-c regulations have been transferred and continue in full force under Article VIII. The intent is the same – to permit and advance renewable energy projects while making sure such projects are mindful of costs and environmental impacts.

Project Updates



PUBLIC NOTICE OF INTENT

In January 2024, Cordelio published a 60-day Notice of Intent to file an application for the Flat Creek Solar project. The notice was published in the local papers and posted on the project website, and you should have received a copy of it in the mail. This state-required notice announced that no sooner than 60 days from the date of publication, we will file an application with ORES seeking a siting permit to authorize the construction and operation of the Flat Creek solar project.

The state of New York requires that we also send an additional notice of filing to everyone on the notification list three days prior to the application filing (this notice must also be published in local newspapers and posted on the project website). Once the Article VIII application has been submitted to ORES, a copy of it will be available on the project website, at the Root and Canajoharie town offices, and at the Canajoharie Library.

At this time, we anticipate that the Flat Creek application will be filed in early August 2024.

COMMUNITY MEETINGS

In February 2024, Cordelio held its first community meeting to introduce the Flat Creek solar project to the Root and Canajoharie communities. The meeting was an open house-style format, with informational boards containing project, permitting, and environmental details. Project representatives and subject matter experts were on hand to walk individuals through the information and answer questions.

In April 2024, we held a second community meeting at the Canajoharie Volunteer Fire Department to discuss the Flat Creek solar project. While there, we gave attendees an update on the project, explained the comprehensive studies that have been completed to satisfy the Article VIII requirements, and participated in a live, 3+ hour Q&A session.

We greatly appreciate the many project stakeholders who took time to show up and attend one or both meetings – thank you! If you were unable to make the meetings, the materials are available on the project website. We also encourage you to reach out to us directly with any questions you may have.

LOCAL AGENCY CONSULTATIONS

On January 24 and 25, 2024, Cordelio, along with our environmental consultants and legal support, held a pre-application consultation meeting with Root and Canajoharie officials to discuss the Flat Creek solar project permit application. At the meeting, we presented a detailed map of the project layout, and we discussed the local laws that apply to the construction, operation, maintenance, and decommissioning of the project. We also outlined our efforts to comply with local laws, including a few exceptions we will need to make the project viable.

At the meeting, we walked through specific application exhibits that require local agency input, and we explained how the towns and others can request local agency account funding to offset expenses the towns and other agencies may incur by participating in the public involvement process once the Flat Creek solar project application has been filed.

YOUR QUESTIONS, ANSWERED

What is “intervenor funding”?

“Intervenor funding” is money that all Article VIII participating projects make available to qualified, locally affected parties and municipalities to offset certain expenses they might incur by participating in the state permitting process. These funds are meant to encourage early and effective public involvement in project development and permitting. Under Article VIII, 75% of these funds are reserved for municipalities.

Upon filing its Article VIII application, Flat Creek Solar will post an intervenor fund in the amount of \$300,000 (or \$1,000 per megawatt of capacity). Qualified local parties can apply for these intervenor funds within 30 days of Article VIII application filing.

Applications for intervenor funds can be emailed to general@ores.ny.gov or mailed to:

New York State Office of Renewable Energy Siting
Attention: Request for Local Agency Account Funding
Empire State Plaza
240 State Street
P-1 South, J Dock
Albany, NY 12242



Cordelio In the Community

We were pleased to recently provide contributions to the Canajoharie Police Department and the Ames Volunteer Fire Department. If there are any local events or organizations you think we should get involved with, please let us know.



About this Newsletter

We intend to provide project updates to you via these newsletters as the project progresses through development and into construction. Our forecasts of timing in these newsletters represents our best estimate as of the date of the newsletter, and may be subject to change.

You have received this newsletter because you are on the Notification List for the Flat Creek solar project. If you are not interested in receiving subsequent newsletters, please let us know at flatcreekinfo@cordeliopower.com



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INFORMATION & UPDATES ABOUT

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