16 April 2024

**Oral arguments regarding Issue #1 -site specific conditions re: noise for Prattsburgh Wind**

As a general statement, my reading of Assessment of Public Comments pg 48 is cumulative, Section 900-2.8 is cumulative, and 900-6.5 describes all noises from the wind facility (ies), so therefore plural. Cohocton compliance testing also measures sound received at a property line from any source or sources irrespective of the owner. Cumulative is explicit or inherent in all 4 cases.

Prattsburgh Wind is the 3rd or 4th wind project with the fifth substation proposed in the Brown Hill area. Not surprisingly, previous projects have consumed almost all of the allowable noise budget across the Brown Hill region, forcing Prattsburgh to select locations with utmost care and caution.

I would like to next address specific comments/recommendations listed in the ORES response to request for party status dated April 2, 2024.

Staff expressed a concern that the Baron Winds information that I specifically pointed to as the most recent information was not publicly available. However, other publicly available previous Baron Winds information from that case 15-F-0122 contains identical or similar information dating back to 2017. For example, Staff should review Case 15-F-0122 document # 805 which includes a narrative version of decibel offsets and rationale when converting between longer time weighed averages and more instantaneous readings as required for compliance testing. Document #805 is a Young/Summer memo confirming that compliance demonstration requires an appropriate conversion to align with the Leq 15 sec three consecutive measurement criteria.

This Young/Summer memo also contains a footnote tracing back to the 2017 preliminary noise analysis (PNIA) mistakenly referred to as Document #146. It is really document # 145 in the same case (15-F-0122). Page 2 of this PNIA document clearly shows a regulatory limit for Cohocton as a 45dBA 15 sec 3 consecutive measurement Leq format and a footnote on that page ties it to compliance monitoring results from the original Cohocton Wind project. These documents were all publicly available to the applicant to illustrate that 45dBA time averaged measurements aren’t sufficient to demonstrate regulatory compliance. I would also point out that this sound modeling approach and results were approved by a Commission ruling on 12/29/2022 (document #713 in case 15-F-0122).

Staff also concludes that I do not make a showing that the Facility does not comply with local law. They are correct- the noise study submission by the Applicant was so flawed that such a showing is not possible from the erroneous data presented. That was a point I tried to make clear. The fact that Staff has recommended a new revised study indicates the same and indicates I have manifested a substantive issue in this case.

The Staff recommendation of a revised sound study using up to date information is a good start. Amongst other flaws, both the Applicant response and the sound expert affidavit give the impression that all of the GE turbines in the Cohocton Wind project repower have low noise trailing edge configurations. The information supplied by Terraform to the Cohocton Town Planning Board in the form of a June 2019 Supplemental Environmental Assessment indicated that only 17 of the 50 GE turbines were to be equipped with this feature. Obviously, the Applicant lacks reliable information currently.

However, the Staff recommendations do not go far enough regarding noise for Cohocton residents. As outlined previously there is a regulatory limit for Cohocton in addition to the ORES project goal. For the select few residences falling within Cohocton Town boundaries, in the overlapping project area where noise could be cumulative, the Applicant should also clearly demonstrate compliance with regulatory limits. Applicant has indicated they will adhere to this.

Finally, time permitting, I would like to address Staff review of Mr. Bell’s input with their comment that Prattsburgh Wind would not contribute to an increase in noise. While mathematically a decibel addition calculation does not yield much increase, this is an oversimplification of the issue. The addition of Prattsburgh Wind equipment will add noise during quieter periods for 2 reasons. First for anyone near the substation, that noise is 24/7/365 with only minor fluctuations due to loading and fan on/off noise deviations. Second, the Prattsburgh turbine height of almost 700 feet dwarfs the adjacent Cohocton Wind turbines and exceeds those of neighboring Baron Winds 550- and 600-foot turbines. Thus, the Prattsburgh turbine will engage in wind conditions earlier and more often, this is one of the primary reasons why Prattsburgh asked for height variances. However, the result is a higher level of total average noise for nearby residents.

Thank you for your consideration.