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Judge Gregg Sayre
New York State Department of Public Service

Transmitted via web portal: New York State Department of Public Service Directory Matter Management Case 19-F-0299

June 2, 2021

RE: Public Comment Case 19-F-0299 Excelsior Energy Center Town of Byron, New York

Dear Judge Gregg Sayre,

I would like to follow up on my testimony provided at the June 1, 2021 6:00PM public hearing for Excelsior Energy Center Case 19-F-0299 proposed for the Town of Byron, New York.

NextEra Energy (the “developer”) fails to provide proof that Excelsior Energy Center (the “Project”) provides local benefit to the Town of Byron, New York (the “town”). The developer claims that the town will benefit from local jobs, tax revenue and clean energy, but fails to account for the loss of local commerce and farm land. The developer has failed to disclose that the town’s local energy is already reliable, clean and affordable energy.

Loss of local commerce

A 280-megawatt photovoltaic solar energy generating facility with 20 megawatts of energy storage sited on approximately two thousands acres does not support local commerce. The loss of farmland terminates the need for farming equipment and supplies. The community tractor supply store as well as the seed and feed are likely to close shop. Without farmland our local roadside stands and farmers markets will not sell produce. The Siting Board must consider the scale of Excelsior’s solar energy resource, battery energy storage, substation interconnection point, and transmission lines on the local economy. Without our farmland, the supporting commerce and aftermarket products will fail. Jobs will be lost. People will suffer. Has the developer provided the Siting Board a listing of agricultural businesses within 50 miles of the Project site? How many other utility scale solar projects are within 50 miles of the Project? What is the combined impact from these multiple solar arrays on local tractor supply, feed and seed and farm stands? If the Project is approved, where will the locals shop for fresh produce, milk, and meat?

Loss of leased farm lands

The United States Department of Agriculture reports that 39% of farmland is rented. <https://www.ers.usda.gov/topics/farm-economy/land-use-land-value-tenure/farmland-ownership-and->

tenure/ Landowner(s) selling or leasing agricultural lands to an energy company will reliably increase their income. Farmers leasing the property will no longer have the land required to plant crops. The USDA report goes on to say that younger farmers are more likely to rent their land. The lack of rentable farmland will discourage new farmers. Tenant farmers that can not find suitable croplands will no longer be able to generate an income and support their families. Has the developer provided the Siting Board an inventory of parcels that are rented to farmers? How many farmers will be subject to increased hardship or insolvency because of the project? Where will the farmers rent land to generate income for their families?

The Power Purchase Agreement is not disclosed and the Town's energy is essentially carbon neutral

The developer's failure to provide the Power Purchase Agreement (the "PPA") prevents the taxpayers from understanding if the Project profits the town, county, state or out of state. According to New York State Independent System Operator (the "NYISO") Power Trends 2020 Report upstate New York zones A-E, including the town of Byron, receives 88% of its electricity from zero emission sources of nuclear and hydropower plants. <https://www.nyiso.com/-/fuel-for-the-wire-power-trends-2020>

Electricity generated from the Project does not help Byron, or any upstate town, reduce green house gas emissions as mandated by the Climate Leadership and Community and Protection Act. Allowing for-profit renewable energy companies to appropriate upstate lands and rural way of life, then sell the electricity for a substantial profit to downstate and possibly out of state ratepayers deprives the Town from implementing their local land use plans and Comprehensive Plan. Siting this Project in the Town of Byron permits the state to rob Peter to pay Paul.

Excelsiors CEO may not care where they construct their profit driven investment but the Town residents do. The local taxpayers will be forced to view 2,000 acres of a solar power plant day after day after day. They suffer the loss of commerce and available farmlands. They will not be provided the opportunity for future investment and growth. They will endure generations of loss due to corporate and government intervention in town government. It appears that New York State is redlining the Town of Byron with a green pen.

Please require Excelsior to provide further information on land lost, community impact and the PPA before deciding if the Town's residents will receive any benefits.

Thank you for your time and attention.

Regards,
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