



June 13, 2025

*Via Electronic Mail:*

Emma Marshall  
Barclay Damon, LLP  
80 State Street  
Albany, NY 12207  
[emarshall@barclaydamon.com](mailto:emarshall@barclaydamon.com)

RE: Case 21-T-0366 – Application of Empire Offshore Wind LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 17.5 Miles of Transmission Lines from the Boundary of New York State Territorial Waters to a Point of Interconnection in Brooklyn, Kings County.

**Notice to Proceed with Part 1C Construction**

Dear Emma Marshall:

The Application submitted by the Empire Offshore Wind LLC (Certificate Holder or Empire Wind) to construct two 230-kilvolt (kV) high voltage alternating current (HVAC) submarine export cables within an approximately 15.1 nautical mile-long submarine export cable corridor, extending from the boundary of New York State waters to the cable landfall and two, 0.2 mile-long 230-kV HVAC onshore export cables buried underground from the cable landfall to a new onshore substation at the South Brooklyn Marine Terminal (SBMT), along with two 345-kV HVAC underground cable circuits connecting the new onshore substation at the SBMT to the interconnection at Con Edison’s Gowanus 345-kV Substation in Brooklyn, New York, was approved by the New York State Public Service Commission (Commission) on December 18, 2023, pursuant to Article VII of the Public Service Law.<sup>1</sup> On February 18, 2025, the Commission issued an order approving Empire Wind’s Environmental Management and Construction Plan for Part 1C of the Project (Part 1C EM&CP).<sup>2</sup> Ordering Condition 2 of the Part 1C EM&CP Order states:

*2. The Certificate Holder shall not commence construction of any Part 1C EM&CP facilities until it has received a “Notice to Proceed with Part 1C Construction” letter*

<sup>1</sup> Case 21-T-0366, Application of Empire Offshore Wind LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 17.5 Miles of Transmission Lines from the Boundary of New York State Territorial Waters to a Point of Interconnection in Brooklyn, Kings County. Order Adopting Terms of a Joint Proposal (issued December 18, 2023).

<sup>2</sup> *Id.*, Order Approving Environmental Management and Construction Plan for Part 1C Subject to Conditions (issued February 18, 2025) (Part 1C EM&CP Order).

Emma Marshall  
June 13, 2025, CASE 21-T-0366

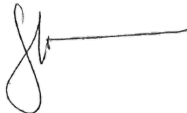
*sent by the Chief of Environmental Certification and Compliance of the Office of Renewable Energy Siting and Electric Transmission, or by a designee.*

Department of Public Service (DPS) staff have determined that the information provided by Empire Wind, in conjunction with the Commission's approval of the Part 1C EM&CP and required pre-construction notifications, meet the requirements to satisfy a Notice to Proceed with Part 1C Construction.

Empire Wind is hereby authorized to begin Part 1C construction activities within the Project area boundary where all applicable permits/agreements have been received and provided to DPS staff.

If you have any questions, please contact Jeremy Flaum of the Department's Environmental Compliance Staff, at (518) 486-2219 or by email at [jeremy.flaum@dps.ny.gov](mailto:jeremy.flaum@dps.ny.gov).

Sincerely,



Jason Zehr  
Chief, Environmental Certification and Compliance  
Office of Renewable Energy Siting and Electric Transmission

cc: Ekin Senlet, Barclay Damon LLP ([esenlet@barclaydamon.com](mailto:esenlet@barclaydamon.com))  
Jeremy Flaum ([jeremy.flaum@dps.ny.gov](mailto:jeremy.flaum@dps.ny.gov))  
21-T-0366 Case File  
DPS Central File