

October 31, 2005

Hon. Jaclyn A. Brillling
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

Re: Case 04-E-0822

Dear Secretary Brillling:

The original and two copies of this plan are being filed with the Commission in accordance with the "Order Requiring Enhanced Transmission Right-of-Way Management Practices by Electric Utilities" regarding securing rights or ROW widths in order to maintain industry standards for adequate vegetation management for the non-critical transmission facilities.

Central Hudson's non-critical transmission system consists of both 115 kV and 69 kV lines that have a typical right of way width of 100 feet. The 115 kV SD & SJ lines and 69 kV FV lines were submitted with the bulk transmission filing since they were considered critical tie lines under the Federal Energy Regulatory Commission's Order issued April 19, 2004. These lines have also been included with this filing to ensure that they are not omitted for tracking purposes by voltage

classification. Central Hudson recognizes and encounters situations within its routine maintenance activities where easement language, public constraints and regulatory limitations prohibit clearing the right of way to these widths.

The first step in developing a plan for securing additional rights or ROW widths was to conduct a comprehensive review of the 115 kV and 69 kV transmission system to determine the number and location of any deficiencies in existing ROW width. A list of locations has been developed where the right of way width is less than the typical 100 feet for these lines by reviewing the plan and profile maps for each line. This listing was compiled in the same format utilized in response to the Federal Energy Regulatory Commission's Order issued April 19, 2004 and also includes locations where there are chemical spraying or clearing restrictions as well as road, water, railroad, and wetland crossings that may prevent the implementation of standard Integrated Vegetation Management (IVM) techniques.

Central Hudson owns a small percentage of the ROW's for the 115 kV and 69 kV Lines with the majority being ROW by easement. Summaries of the restrictions for each line are attached to this plan.

As indicated in the "Plan" filed at the end of September, resolving the ROW restrictions on the bulk transmission system is the highest priority. The next highest priority is addressing the 115 kV radial lines followed by the looped 115 kV feeds. The 69 kV radial lines will be addressed after the looped 115 kV feeds and the looped 69 kV feeds will be the last to be addressed. Each line summary contains a section entitled "Concern Level" which will be utilized to prioritize the lines within a particular classification. For instance, a 115 kV radial line with a concern level of "Medium" will have a higher priority than a 115 kV radial line with a concern level of "Low". Since the list of restrictions was compiled based on a review of the plan and profile maps, the first step is to verify that the condition indicated on the map still exists in the field to ensure that the proper priority has been applied to each line. In other words, if a 115 kV radial line has a high number of spans with width restrictions but this line follows a route consisting of mostly cultivated fields and farm land it would not be as critical to address these restrictions as a line that traversed an urban area consisting of mostly backyards with trimming restrictions. Similar to the plan for the bulk transmission lines, each restriction will be reviewed by Central Hudson's Special Services Division to determine if acquiring additional rights or ROW width at these locations is feasible. The restrictions noted were based on a review of the Plan and

Profile drawings and a more thorough review of the easements and property records will need to be performed prior to contacting the landowners. In most cases, the deficiencies exist because the property owner was not willing to grant the full rights at the time of construction and an alternate route for the line was not practical or feasible. Ownership may have changed hands in the interim and an attempt will be made to acquire the additional ROW width or amend the existing easement to facilitate performing the required clearing. The ability to utilize condemnation, as a means of acquiring the required ROW width may not be practical, since new construction is not contemplated and the present Rights of Way exist, although not necessarily at the optimal width.

In consideration of these factors, to ensure that transmission reliability is not impacted by these ROW width restrictions, the list of exceptions will be utilized for tracking and monitoring the locations with less than optimal ROW width from a vegetation management perspective as well as conducting the mid-cycle field assessments and remedial line clearance work as part of the hot spot trimming program to ensure that adequate clearances will be maintained until the next scheduled maintenance cycle.

Central Hudson's experience has been that if the perceived customer impacts, historical features or other factors that prevented Central Hudson from obtaining full right of way widths at the time of construction are still present, then these same factors will prevent obtaining full ROW widths in the future.

Compiling the list of restrictions for each of the 115 kV and 69 kV lines was very labor intensive but was required to facilitate providing an accurate representation of the magnitude of the deficiencies in meeting the typical Right of Way width of 100 feet for these lines. As the field assessments are conducted in conjunction with the ROW management program the list of restrictions will be updated to reflect the latest information and conditions from the field. Should you require any further information feel free to contact me at (845-486-5844).

Respectfully submitted,

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System Construction Manager
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cc: Mr. David S. Morrell
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Three Empire Plaza
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Easement Conditions and Restrictions for the 69 kV "WM Line".

Concern Level: Medium

Description:

The 69 kV "WM Line" is 14.88 miles in length and is 100% ROW by easement. Restrictions contained in some of the easements include: the majority of this line (290 spans - 68,634 feet) was constructed on a ROW width of 75 feet. One section including 9 spans (2,434 feet) where there is no cutting of fruit trees but wild trees can be cut without permission but permission is required for large tree removal and trimming. There is also one section where the ROW width is reduced from 100 feet to 76 feet. This section includes 7 spans for a total length of 1,560 feet.

Road crossings by permit include: Tomkins Road, Goodwill Road, Chandler Road, Beaver Dam Road, Route 84, Neelytown Road, Lake Osiris Road, Highland Avenue, East Main Street, Hill Street, Sherman Street, Elm Street, Coldenham Road, NYS 1539, Orange Avenue, Bailey Road, Cochection Turnpike, Maybrook Road, County Route 4, Little Britain Road, Sarah Wells Trail, Shea Road, Creamery Road, Route 208, Otter Road, Forrester Road, and eight unidentified road crossings.

Water crossings include: Otterkill Creek, Tin Brook, two unidentified brook crossings, one stream crossing, and four swamps.

NYSDEC Wetlands: MB-4 (6 spans), MB-31 (15 spans), MB-34 (6 spans), and WD-6 (14 spans).

One span includes a crossing of the Wallkill Valley Rail Road.

There are no other restrictions to maintaining the 100 feet of ROW width along the entire ROW with the exception of the crossings and locations noted above.