



STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
41 STATE STREET  
ALBANY, NY 12231-0001

GEORGE E. PATAKI  
GOVERNOR

CHRISTOPHER L. JACOBS  
SECRETARY OF STATE

December 7, 2006

Robert J. Alessi, Esq.  
Le Boeuf, Lamb, Greene & MacRae, LLP  
99 Washington Avenue  
Suite 2020  
Albany, NY 12210-2820

Re: F- 2006-0345  
Federal Energy Regulatory Commission (CP06-54,  
CP06-55) and U.S. Army Corps of Engineers/New  
York District (2006-00265), U.S. Coast Guard-Sector  
Long Island, NYS Department of Environmental  
Conservation, and NYS Office of General Services  
(LUW 001038)  
Long Island Sound  
Towns of Smithtown, Brookhaven, Riverhead and  
Southold; Suffolk County  
Broadwater Energy, LLC

**Commencement of Review**

Dear Mr. Alessi:

The New York State Department of State (DOS) received Broadwater Energy, LLC's (Broadwater) *Supplement to the April 2006 New York State Coastal Zone Consistency Certification* on October 31, 2006. On November 17, 2006, we received the Federal Energy Regulatory Commission's (FERC) Draft Environmental Impact Statement (DEIS) for the proposed project.

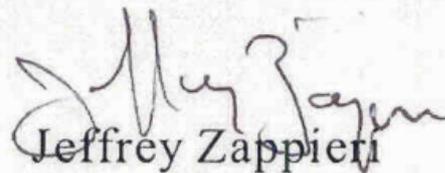
DOS has elected to waive the requirement for receipt of a Final Environmental Impact Statement and permit applications prior to initiating review as provided for in federal regulations (see 15CFR930.60[a]). DOS began its review of Broadwater's **consistency** certification on November 17, 2006, the date of receipt of the DEIS from FERC.

DOS will contact you if additional information is necessary for our review.

Broadwater, FERC and the U.S. Army Corps of Engineers will be notified of DOS's decision concurring with or objecting to Broadwater's consistency certification when DOS has completed the review of this proposal for its consistency with the New York State Coastal Management Program.

If you have any questions or need any other information or assistance regarding this matter, please contact me at (518) 473 -2476 (E-mail [jzappier@dos.state.ny.us](mailto:jzappier@dos.state.ny.us)).

Sincerely,



Jeffrey Zappieri

Supervisor, Consistency Review  
Division of Coastal Resources

cc: Mr. James Martin, FERC ✓  
Mr. Murray Sondergard, TransCanada  
Thomas Dvorsky, NYSDPS

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