



September 10, 2018

Honorable Elizabeth Hazlitt Emerson
Supreme Court of Suffolk County
Commercial Division
1 Court Street
Riverhead, New York 11901

Mr. Martin F Scheinman, Esq.
322 Main Street
Port Washington, New York 11050

RE: LIPA and Town of Huntington Scheduled Mediation and Court Proceedings

Dear Judge Emerson and Mr. Scheinman:

We are writing to you on behalf of two of the largest business organizations on Long Island, whose members comprise of the largest energy users in the region, regarding the pending tax certiorari proceedings filed by the Long Island Power Authority (LIPA) and National Grid with respect to the Northport Power Plant located in the Town of Huntington.

We respectfully request that you allow us to participate in the scheduled mediation between LIPA, the Town of Huntington, National Grid, and the Northport-East Northport School District to ensure that the public interests are well-represented and preserved. We also respectfully ask that the December 3, 2018 court trial date remain in place to provide both an impetus for the parties to reach a settlement and a backup if mediation is unsuccessful.

The challenges for the tax assessments on these power plants have been pending since 2010, and while there seems to be productive settlement discussions between LIPA and Nassau County, LIPA and Town of Brookhaven and Village of Port Jefferson, there has been virtually no progress toward a settlement between LIPA and the Town of Huntington.

As both taxpayers and LIPA customers, we are hopeful that mediation will prove successful in achieving a fair phase down settlement that results in a significant reduction in taxes paid by LIPA customers while providing a multi-year glidepath for the school district. Our money has and continues to be improperly paid to these municipalities for the past eight years and we want ensure that this practice ends and those dollars are put back into the ratepayers' pockets. Only by being in the room can we make sure this happens.



As it appears that LIPA and the Town of Brookhaven, the Village of Port Jefferson, and Nassau County have moved closer to settlement, we hope that the combination of both mediation and the pending court case will inspire LIPA and the Town of Huntington to reach an agreement as one appears among the other parties.

Thank you for your thoughtful consideration of this matter. We welcome the opportunity to speak with you further about our request for participation in the mediation and maintaining the current court schedule for the trial.

Sincerely,

Kyle Strober
Executive Director, ABLI

Mitchell Pally
President, LIBI

Cc: Chad Lupinacci, Supervisor Town of Huntington
Thomas Falcone, CEO, LIPA
Andrew Cuomo, NYS Governor
John Flanagan, NYS Majority Leader
Andrew Raia, NYS Assemblyman