

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Niagara County Industrial Development Agency (the "Agency") on the **1st day of February, 2011, at 5:00 p.m.**, local time, at the **Somerset Town Hall Boardroom, 8700 Haight Road, Barker, New York 14012**, in connection with the following matter:

AES EASTERN ENERGY, L.P., for itself or on behalf of an entity formed or to be formed (the "Company"), has requested the Agency's assistance with respect to a certain project (the "Project") consisting of: (A) the acquisition or retention by the Agency of fee title to or a leasehold interest in an approximately 1,800-acre parcel of land located at 7725 Lake Road in the Town of Somerset, Niagara County, New York (the "Land"), together with the existing 9 buildings thereon (the "Existing Improvements" and, together with the Land, the "Facility"). The Agency has previously provided financial assistance (the "Financial Assistance") to the Company for qualifying portions of the Project, consisting of partial real property tax abatement in the form of a certain payment-in-lieu-of-tax agreement (the "Existing PILOT").

Pursuant to the Company's request to modify the terms of the existing PILOT, the Agency will consider acquiring or retaining title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency hold a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company for qualifying portions of the Project, consisting of a modification of the Existing PILOT between the Agency and the Company.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's amended application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed changes to the Existing PILOT Agreement.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

DATED: January 13, 2011

**NIAGARA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

By: _____
Samuel M. Ferraro
Executive Director

