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THE COUNCIL OF
THE CITY OF NEW YORK
PHIL WONG
COUNCIL MEMBER, 30TH DISTRICT, QUEENS

March 10, 2026

Sam Brill
VP of Strategic Development
NineDot Energy
370 Jay Street, 7th Floor
Brooklyn, NY 11201

Dear Mr. Brill,

Ordinarily I would thank you for your correspondence. After reviewing your March 9 letter, however, there is little in it for which your company deserves thanks. The letter contains numerous inaccuracies and mischaracterizations regarding your company's outreach, the positions of community stakeholders, and the sequence of events surrounding this proposal. Because the public record matters, it is necessary to correct several of those statements.

Your letter suggests that NineDot engaged elected officials and the community in a transparent manner regarding the proposed Battery Energy Storage System at 64-30 69th Place. That is not accurate.

When Council Member Robert Holden represented the district, his office did not learn about this proposal from NineDot. Instead, information about the project was shared with his office through individuals in the real estate industry, including the previous owner of the property. That is how the proposal first came to light.

Once that information surfaced, Council Member Holden's office spent months making inquiries with your company's lobbyists and representatives. During those conversations, the consistent response conveyed to the office was that there were no plans moving forward at that time.

When I assumed office, my understanding of the project reflected that same information. My office did not receive any communication from NineDot indicating that the company intended to proceed with construction.

It was only around February 11 of this year that we became aware NineDot was actively moving forward when a parent from PS/IS 128 contacted my office asking why the Chair of Community Board 5 had been contacting the school and members of the PTA while presenting proposals from NineDot to pay for programming for the school. That inquiry prompted my office to begin investigating the matter further.

Those are the circumstances under which both Council Member Holden and I became aware of developments regarding this project. They are plainly inconsistent with the narrative of proactive outreach described in your letter.

Your letter also references a supposed conversation with me prior to my taking office.

Prior to being sworn in, I briefly encountered one of your lobbyists outside City Hall in a casual setting. During that conversation the individual discussed generally the type of work he does and the various clients he represents. At no point during that encounter was I informed that NineDot intended to move forward with a battery storage facility at this location, nor was any formal or informal notice conveyed. The suggestion in your letter that such notice occurred is incorrect.

Your correspondence also repeats claims that certain stakeholders were comfortable with or did not object to this project. That characterization is not accurate.

On February 19, representatives of NineDot met at the office of Council Speaker Julie Menin to discuss the concerns that had been raised regarding this proposal. That discussion reflected the unified position of a coalition consisting of myself, Congresswoman Grace Meng, Queens Borough President Donovan Richards, State Senator Joseph Addabbo, State Assembly Member Andrew Hevesi, the Juniper Park Civic Association, the Middle Village Chamber of Commerce, and the United Federation of Teachers.

During that meeting, your representatives stated that local businesses were either supportive of, or had not objected to, the proposed facility. Those assertions were later contradicted by the very individuals referenced.

Your representatives also indicated at that same meeting that two state elected officials who represent the area had previously expressed that they were not opposed to the project. Those claims were likewise contradicted by the officials themselves.

Statements such as these created the clear impression that key stakeholders were comfortable with the proposal when, in fact, they were not.

During the February 19 discussion, the serious concerns regarding the siting of this facility across from PS/IS 128 and adjacent to multiple child centered uses were laid out clearly. While the coalition acknowledged the broader role that energy storage technology can play in strengthening the electric grid, it was made equally clear that this particular location is inappropriate for such a facility.

Following that discussion, the coalition engaged NineDot in good faith and communicated that we were willing to work within the bounds of the law and our respective authorities to facilitate the relocation of the project to a more appropriate site in order to avoid unnecessary conflict and delay. That position was reiterated in writing in our March 6 letter.

Your response makes clear that NineDot has chosen to disregard those concerns and proceed with this location despite the unified opposition of the community it affects.

The residents of Middle Village have been clear about where they stand. Parents, educators, civic organizations, local businesses, and the elected officials who represent them have all raised the same straightforward concern. A facility of this nature should not be placed directly across from a school and next to multiple child centered uses in a dense residential neighborhood.

I will stand with this community and support whatever lawful actions its residents and stakeholders deem appropriate to oppose this project in its current location, including community advocacy, protests, public awareness efforts, and potential litigation if necessary.

My office will also be communicating with relevant oversight bodies to ensure that the circumstances surrounding this proposal receive appropriate scrutiny. That includes outreach to utility companies, the New York State Public Service Commission, and other applicable city, state, and federal entities responsible for oversight of energy infrastructure and related programs.

In addition, I will be reaching out to investors and financial partners involved in NineDot's projects to ensure they are aware of how this proposal has been handled and how your company has engaged with the community affected by it.

NineDot has now made its position clear. The people of Middle Village have made theirs just as clear. When a company chooses to move forward with a project of this magnitude directly across from a school while dismissing the concerns of an entire community and the elected officials who represent it, it should expect that decision to be met with sustained public scrutiny, regulatory attention, and determined opposition.

Sincerely,

Phil Wong
Council Member, District 30