



April 1, 2025

Via Electronic Mail
Hon. Michelle L. Phillips
Secretary to the Commission
New York State Public Service Commission
Agency Building 3
Albany, NY 12223-1350

Re: Case 21-M-0238 – Petition of Fortistar North Tonawanda LLC and Digihost International Inc. for a Declaratory Ruling Regarding Application of Section 70 and 83 of the New York State Public Service Law and the Alternative, Approval of the Proposed Transaction Pursuant to Sections 70 and 83.

Dear Secretary Phillips,

Attached to this letter, for filing in the above-referenced case are letters between Department of Public Service Staff and Counsel for Petitioners regarding Petitioners' second request for an extension to respond to the New York State Department of Public Service Staff Directive for Clarification and Documents.

Please feel free to contact myself at Stephanie.McDermott@dps.ny.gov or Jessica DiFiore at Jessica.Difiore@dps.ny.gov should you have any questions.

Sincerely,
Stephanie S. McDermott
Assistant Counsel



Phillips Lytle LLP

March 5, 2025

Jessica DiFiore, Esq.
Assistant Counsel
Department of Public Service
Three Empire State Plaza
Albany, NY 12223

Re: Case 21-M-0238 - Petition of Fortistar North Tonawanda LLC and Digihost International Inc. for a Declaratory Ruling Regarding Application of Section 70 and 83 of the New York State Public Service Law and the Alternative, Approval of the Proposed Transaction Pursuant to Sections 70 and 83.

Dear Jessica:

On behalf of Petitioners Fortistar North Tonawanda LLC and Digihost International, Inc. ("Petitioners"), in the above-referenced matter, please accept this request for an extension of the deadlines in your January 30, 2025 Data Requests, DPS-001. Pursuant to an extension request granted February 7, 2025, Petitioners provided responses to items DPS-001-9; DPS-001-20; DPS-001-21; DPS-001-22 on February 13, 2025. Petitioners and their consultants have been diligently engaged in collecting and processing the breadth of data and documents necessary to respond to the remaining data request items, but require additional time to ensure a fulsome and accurate response. Accordingly, Petitioners respectfully request a second extension until April 6, 2025 for responses to the remaining data requests.

This request is submitted without waiver and with a full reservation of rights.

Respectfully submitted,

Phillips Lytle LLP

By *Thomas F. Puchner*

Thomas F. Puchner



March 7, 2025

via email & DMM
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Re: Case 21-M-0238 - Petition of Fortistar North Tonawanda LLC and Digihost International Inc. for a Declaratory Ruling Regarding Application of Section 70 and 83 of the New York State Public Service Law and the Alternative, Approval of the Proposed Transaction Pursuant to Sections 70 and 83.

Dear Mr. Puchner,

The Department has received your letter dated March 5, 2025, in which you request another extension of time – specifically pertaining to the current March 6, 2025, deadline to provide supplemental responses to the Department Staff’s January 30, 2025, Directive for Clarification and Documents. Department Staff decline your request to extend the deadline to April 6, 2025. Instead, the Department provides you and your client a two-week extension, until March 21, 2025.

Should you have any questions, please contact Jessica DiFiore at Jessica.DiFiore@dps.ny.gov or Stephanie McDermott at Stephanie.McDermott@dps.ny.gov.

Sincerely,

s/Stephanie McDermott
s/ Jessica DiFiore

Assistant Counsel