

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case 23-E-0618 - Petition of Horseshoe Solar Energy LLC for an Original Certificate of Public Convenience and Necessity and for an Order Providing for Lightened Regulation.

NOTICE REQUESTING COMMENTS AND ANNOUNCING
VIRTUAL PUBLIC STATEMENT HEARING
AND PROCEDURAL CONFERENCE

(Issued February 16, 2024)

Comments are requested concerning a petition filed on October 27, 2023, by Horseshoe Solar Energy, LLC (Applicant), pursuant to Public Service Law §68, seeking a Certificate of Public Convenience and Necessity (CPCN), among other things. If issued, the CPCN would authorize the Applicant to construct the proposed Horseshoe Solar Project (Project), a major renewable solar electric generating facility to be in the Town of Rush, Monroe County, and the Town of Caledonia, Livingston County. Operation of the Project must comply with a permit granted to the Applicant by the New York State Office of Renewable Energy Siting (ORES) on December 9, 2022. The scope of the Commission's review of the petition will not duplicate issues that were previously considered and decided by ORES.

PLEASE TAKE NOTICE that a **virtual public statement hearing** regarding the CPCN petition will be held before an Administrative Law Judge (ALJ) on:

DATE: March 6, 2024
TIME: 3:00 p.m.

Electronic Access: www.webex.com
Event Number: 161 129 1717
Password: March6-3pm

Phone-Only Access: 518-549-0500
Access Code: 161 129 1717

Those wishing to comment on this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearing. **Any person who intends to provide a public statement at the hearing must register to do so by 4:00 p.m. on Tuesday, March 5, 2024.**

To register and to participate electronically:

This option is for participants who want to make a statement and who will log in to the hearing electronically. Such participants must register to do so by visiting www.webex.com by the date and time indicated above, clicking "Join" at the top right-hand corner of the screen, inputting the event number, and providing all requested information.

When logging in to the hearing on the appropriate date and time, participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require that participants enter their phone numbers.

To register and provide a statement by phone:

This option is for anyone who wants to make a statement and is unable to log in to the hearing electronically. Such participants must register by calling **1-800-342-3330** by the date and time indicated above and then following prompts to the hearing and providing the following information: first name and last name, address, and phone number.

On the date and time of the hearing, call-in participants should dial **518-549-0500** and enter the access code listed above.

All participants will be muted upon their entry into the hearing. The ALJ will call each person who has registered to speak. The ALJ will continue the hearing until everyone

wishing to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the public statement hearing will be made for inclusion in the record of this case.

To listen to the hearing:

This option is for those who wish to listen only, without making a statement. Pre-registration is not required for this option. Any person without internet access may listen to the hearing by phone by calling (518-549-0500) and entering the applicable access code.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at 518-474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this Notice.

Other Ways to Comment

For those who cannot attend or prefer not to present comments at the public statement hearing, there are several other ways to provide your comments. Comments should refer to Case "23-E-0618" and **must be received by March 31, 2024.**

Internet or Mail: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter the case number (23-E-0618) in the box labelled "Search by Case Number," and then click on "Post Comments" at the top right of the page.

Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350.¹ All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case number, as described above, and clicking on the "Public Comments" tab.

Toll-Free Opinion Line: Individuals may submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This line is set up to receive in-state calls 24-hours a day. These calls are not transcribed verbatim, but a summary is provided to the Commission.

PLEASE TAKE FURTHER NOTICE that a procedural conference will be held immediately following the public statement hearing, as part of the same teleconference.

The purpose of the procedural conference is to identify any potential parties and provide interested persons an opportunity to offer proposals regarding the procedures they believe should be followed in this case by the ALJ and Commission including, but not limited to, whether any issues of fact are presented by the petition or public comments that warrant an evidentiary hearing. Other procedural issues also may be addressed.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

¹ Filing electronically is strongly encouraged.