NEW YORK STATE
Department of Public Service
Office of Renewable Energy Siting and Electric Transmission

KATHY HOCHUL
Governor

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Chief Executive Officer

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November 20, 2026

Hemlock Ridge Solar LLC
Attn: James Muscato, Esq.
Young/Sommer LLC
500 Federal Street, 5th Floor
Troy, NY 12180
jmuscato@youngsommer.com

RE: DMM Matter No. 21-00748 – Application of Hemlock Ridge Solar LLC for a Major Renewable Energy Facility Siting Permit Pursuant to Article VIII of the New York State Public Service Law to Develop, Design, Construct, Operate, Maintain, and Decommission a 200 Megawatt (MW) Solar Energy Facility located in the Towns of Barre and Shelby, Orleans County, New York.

Notice to Proceed - Phase 2, Site Preparation and General Civil Construction

Dear Counselor:

In accordance with the requirements of Article VIII and its implementing regulations (Title 16 of the Official Compilation of Codes, Rules, and Regulations of the State of New York [16 NYCRR] Part 1100)[1] the Office of Renewable Energy Siting and Electric Transmission (Office or ORES) issued the above-captioned Major Renewable Energy Facility Siting Permit (Permit) to Hemlock Ridge Solar LLC (Permittee) for a 200 MW Solar Facility on September 22, 2022.

In accordance with 16 NYCRR § 1100-10.2 and Subparts 5.1(g) and 6(e) of the Permit, on May 28, 2026 (DMM Item Nos. 107-109), the Permittee submitted pre-construction compliance filings to support a limited "Notice to Proceed" (NTP) with construction of Phase 2 of its overall phasing plan, which includes processing of cleared material, grubbing and stump removal, installation of erosion and sediment controls, stormwater practices, stabilized construction entrances, access roads, laydown yards, fence installation, and mass grading for Facility infrastructure. The Permittee submitted its response to the Office's comments on September

[1] The Permit Application was filed pursuant to former Executive Law § 94-c and its implementing regulations at 19 NYCRR Part 900 and permitted by the Office pursuant thereto. Public Service Law (PSL) Article VIII and its implementing regulations at former 16 NYCRR Chapter XI (Part 1100) replaced former Executive Law § 94-c and became effective July 17, 2024. Revised PSL Article VIII regulations at 16 NYCRR Chapter XI (Parts 1100, 1101, 1102) were filed with the Secretary of State and became effective March 9, 2026, and only apply to applications received by the Office on or after that effective date. As such, this Determination references the former regulations at 16 NYCRR Chapter XI (Part 1100).

18, 2026 (DMM Item Nos. 116-118), November 6, 2026 (DMM Item Nos. 127-129), and November 12, 2026 (DMM Item Nos. 131-132). The final approved compliance filings necessary for construction of Phase 2 are listed in **Attachment A**.

ORES hereby issues this Notice to Proceed with construction for the scope of activities as described in the Permittee's request and in accordance with the documents listed in **Attachment A**.

The Permittee is required to conduct all construction activities in accordance with the terms and conditions set forth in the Permit. Without limitation, this NTP does not provide authorizations for any necessary federal or federally-delegated permits. It is the Permittee's responsibility to ensure it has received all necessary federal or federally-delegated permits before proceeding with construction as defined and authorized in this NTP.

If you have any questions, please contact Jasmine Matley at jasmine.matley@dps.ny.gov or Christopher Walker at christopher.walker@dps.ny.gov.

Respectfully submitted,

/s/ Isadora Nogueira
Isadora Nogueira, Esq.,
Excelsior Service Fellow
New York State Department of Public Service, Office of General Counsel
On behalf of

NEW YORK STATE OFFICE OF RENEWABLE ENERGY SITING
AND ELECTRIC TRANSMISSION

cc: Party List for this proceeding

ATTACHMENT A
COMPLIANCE FILINGS

Pursuant to 16 NYCRR § 1100-10.1, applicable pre-construction compliance filings provided by the Permittee in support of its Notice to Proceed with Phase 2 Construction have been received and/or approved, as necessary, as follows:

1. Permit subpart 5.4(o)(1) – Appendix 12-F: Net Conservation Benefit Plan (DMM Item No. 116) filed on September 18, 2026 was approved for all phases on October 30, 2026 (DMM Item No. 126).

2. Permit subpart 7.1(a) – The Fire Code Compliance Confirmation Letters from the Towns of Barre and Shelby, U.S. Army Corps of Engineers (USACE) Approved Jurisdictional Determination, and USACE Nationwide Permit verifications contained in Appendix Q: Other Permits and Approvals (DMM Item No. 117), filed on September 18, 2026 were acknowledged by the Office on October 30, 2026 (DMM Item No. 126).

3. Permit subpart 7.1(a) – The Letter of Authorization (LOA) for Coverage Under SPDES General Permit for Stormwater Discharges from Construction Activity (CGP) General Permit No. GP-0-25-001 provided in Appendix Q. Other Permits and Approvals (DMM Item No. 117) filed on September 18, 2026, was acknowledged by the Office on October 30, 2026 (DMM Item No. 126). The Office acknowledges receipt of the 5-acre waiver authorization provided in Appendix Q. Other Permits and Approvals (DMM Item No. 129) filed on November 6, 2026.

4. Permit subparts 6(d) and 7.1(b)(2) – The Office acknowledges the Hemlock Ridge - Town of Barre Decommissioning Bond and the Hemlock Ridge - Town of Shelby Decommissioning Bond (DMM Item No. 132) filed on November 12, 2026, for all phases.

5. Permit subparts 6(a)(1) and 7.1(c) – Appendix K: Plans, Profiles, and Detail Drawings for Site Preparation and General Civil Construction – Revision 2 (DMM Item Nos. 127 and 129) filed on November 6, 2026, is hereby approved for this phase.

6. Permit subpart 7.1(e)(1) – Appendix L: Quality Assurance and Control Plan for Site Preparation, General Civil Construction, and Solar Facilities Installation (DMM Item No. 116) filed on September 18, 2026, was approved for Phases 2 and 3 only on October 30, 2026 (DMM Item No. 126).

7. Permit subpart 7.1(e)(2) – Appendix M: Construction Operations Plan, Revision 1 (DMM Item No. 116) filed on September 18, 2026, was approved for Phases 2 and 3 only on October 30, 2026 (DMM Item No. 126).

8. Permit subpart 7.1(e)(4) – Appendix N: Vegetation Management Plan (DMM Item No. 109) filed on May 28, 2026, was approved for all phases on July 27, 2026 (DMM Item No. 113).

9. Permit subpart 7.1(e)(5) – Appendix C: Facility Communications Plan, Revision 1 (DMM Item No. 107) filed on May 28, 2026, was approved for all phases on July 27, 2026 (DMM Item No. 113).

10. Permit subpart 7.1(e)(8) – Appendix O. Traffic Control Plan Attachment B - Rev 2 (DMM Item No. 129) filed on November 6, 2026, is hereby approved for this phase. The Office acknowledges receipt of the executed road use agreements with the Towns of Barre and Shelby and Orleans County provided in Appendix O: Traffic Control Plan for Site Preparation, General Civil Construction, and Solar Facilities Installation (DMM Item No. 109) filed on May 28, 2026.

11. Permit subpart 7.1(g) – Appendix G. CRAMMP – Revision 6 (DMM Item No. 127) filed on November 6, 2026, is hereby approved for all phases.

12. Permit subpart 7.1(h) – Appendix H. Real Property Rights, Revision 2 (DMM Item No. 116) filed on September 18, 2026, as supplemented with Appendix H. Real Property Rights – supplement (DMM Item No. 131) filed on November 12, 2026, are hereby approved for all phases.