

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case 23-E-0412 - Petition of Homer Solar Energy Center, LLC, for a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law and an Order Granting Lightened Regulation.

NOTICE REQUESTING COMMENTS AND ANNOUNCING
PUBLIC STATEMENT HEARING AND PROCEDURAL CONFERENCE

(Issued January 25, 2024)

Comments are requested concerning a petition filed by Homer Solar Energy Center, LLC (Homer Solar) pursuant to Section 68 of the Public Service Law seeking a Certificate of Public Convenience and Necessity (CPCN), lightened regulation as an electric corporation, and an order finding that the public hearings required by Public Service Law §68 should be held before the Public Service Commission (Commission). If issued, the CPCN would authorize Homer Solar to construct, own, and operate a solar photovoltaic energy generating project (the Project). Construction and operation of the Project is, however, subject to the terms and conditions of the Siting Permit issued by the New York State Office of Renewable Energy Siting (ORES) pursuant to Executive Law §94-c.¹ The scope of the Commission's review of the Section 68 petition will not duplicate the issues that were previously considered and decided by the ORES.

¹ Matter No. 21-00976, Application of Homer Solar Energy Center, LLC for a 94-c Permit for Major Renewable Energy Facility, Homer Solar-Siting Permit (issued January 9, 2023).

PLEASE TAKE NOTICE that a virtual public statement hearing will be held before Administrative Law Judge (ALJ) Anthony Belsito on:

DATE: February 13, 2024

TIME: 1:00 p.m.

Electronic Access: www.webex.com

Event Number: 2340 620 3270

Password: Feb13-1pm

Phone-Only Access: 518-549-0500

Access Code: 2340 620 3270

Password: 33213017

Those wishing to comment on any aspect of this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearing. **Any person wishing to provide a public statement on the record at the hearing must pre-register by 4:30 p.m. on February 12, 2024.**

To pre-register and to participate electronically:

This option is for participants who would like to provide a statement and will log in to the hearing electronically. Participants must pre-register by **4:30 p.m., February 12, 2024**. When pre-registering, participants must click on <https://signin.webex.com/join>, then enter the event number for the hearing, click "Continue" and then "Register," and then provide all requested information.

When logging in to the hearing on the appropriate date and time, participants should click on <https://signin.webex.com/join>, enter the appropriate meeting number for the hearing, and input the webinar password listed above. 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 participants to enter their phone numbers.

To pre-register and to participate by phone:

This option is for participants who are unable to log in to the hearing electronically, but who wish to participate by phone. Call-in participants wishing to make a statement at the hearing must register to do so by **4:30 p.m., February 12, 2024**, by calling **1-800-342-3330**, where they should follow prompts to the hearing and provide the following information: first name and last name, address, and phone number.

On the appropriate day and time of the hearing, call-in users should dial **1-518-549-0500** and enter the access code and phone-in password listed above to join the hearing.

All participants will be muted upon 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 have been made to include their comments in the record. 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 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.

The hearing will be livestreamed on the internet and available for viewing on the Department of Public Service's YouTube channel on the date and time listed above. To access the YouTube channel, visit the Department's website, www.dps.ny.gov, and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access

may listen to the hearing by phone by calling **1-518-549-0500** and entering the applicable access code and phone-in password.

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-0412." **Although comments will be accepted throughout the pendency of this proceeding, they are requested by February 14, 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-0412) in the box labelled "Search by Case Number," and then click on "Post Comments" located 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 12223-1350.² 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.

² Filing electronically is strongly encouraged.

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 before ALJ Anthony Belsito immediately following the public statement hearing, as part of the same teleconference.

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

(SIGNED)

MICHELLE L. PHILLIPS
Secretary