



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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ORES Interim Executive Director

October 23, 2026

Cayuga Lake Solar, LLC
Attn: James Muscato, Esq. and Julie Yedowitz, Esq.
Young/Sommer LLC
500 Federal Street, 5th Floor
Troy, NY 12180
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RE: DMM Matter No. 23-03014 – Application of Cayuga Lake Solar, LLC for a Major Renewable Facility Siting Permit Pursuant to Article VIII of the New York State Public Service Law to Develop, Design, Construct, Operate, Maintain, and Decommission a 60-Megawatt (MW) Solar Energy Facility Located in the Town of Lansing, Tompkins County.

Response to Request to Submit Permit Amendment

Dear James Muscato and Julie Yedowitz:

Pursuant to the Administrative Law Judges' (ALJs') September 28, 2026 Ruling on Motion to Dismiss in the above-referenced matter, the Office of Renewable Energy Siting and Electric Transmission (ORES or the Office) received a request for permission to submit an amendment to its Permit Application from Cayuga Lake Solar, LLC (Applicant), dated October 2, 2026.

Pursuant to the ALJs' October 8, 2026 Email Ruling, the matter was remanded to ORES staff to review and process the Applicant's request. The Office has reviewed this request in accordance with 16 NYCRR § 1100-7.1(b)(2).¹ The Office hereby approves the Applicant's

¹ The Permit Application was filed with the Office pursuant to Public Service Law (PSL) Article VIII and its implementing regulations at former 16 NYCRR Chapter XI (Part 1100), which were filed with the Secretary of State 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. Pursuant to 16 NYCRR § 1100-16.1 of the revised regulations, the revised regulations apply to applications received by the Office on or after their effective date. As such, this letter references the former regulations at 16 NYCRR Chapter XI (Part 1100).

request to submit an amendment to its Permit Application. The ALJs² and the Applicant³ characterize the requested amendment as a Major Amendment. This letter provides the Office's determination that the requested amendment is a Major Amendment.

The proposed amendment to the Permit Application would remove from the Cayuga Lake Solar Facility's layout a portion of parcel 11.-1-3.212 in the Town of Lansing that has been leased to Lake Hawkeye LLC/TerraWulf for use in its proposed data center. Updated application materials remain subject to the Office's review and subsequent determination of completeness pursuant to 16 NYCRR part 1100. The Applicant is proposing to file an Amended Application on or about December 18, 2026, addressing this Major Amendment, including revisions to various Exhibits of the Permit Application. The Applicant will also publish notice of the Major Amendment in accordance with Section 1100-7.1(c).

Sincerely,

/s/ William D. Bittinger
William D. Bittinger, Esq.,
Associate Counsel
New York State Department of Public
Service, Office of General Counsel
On behalf of
Office Of Renewable Energy Siting
And Electric Transmission

cc: Party List for this Proceeding

² See Record 96, Ruling on Motion to Dismiss at 8 ("Consistent with the new Part 1100, the statutory and regulatory time frames for completeness review of a major application amendment will be applicable to any application amendments Applicant may file.") (emphasis added).

³ Record 97, Request for Permission to Submit an Amendment to the Application at 2 ("Pursuant to the Motion Ruling, the proposed modification to the Facility layout should be treated as a major amendment") (emphasis added).