



Phillips Lytle LLP

February 13, 2025

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:

For filing on behalf of Fortistar North Tonawanda, LLC and Digihost International Inc. (“Petitioners”) in the above referenced proceeding, please see the attached, Petitioners Response to the New York State Department of Public Service (“DPS”) Directive for Clarification and Documents (“DPS-001”). Petitioners herein provide initial responses to items DPS-001-9; DPS-001-20; DPS-001-21; DPS-001-22 per the extension granted by DPS by letter dated February 7, 2025. Petitioners will provide additional responses to the remaining items in DPS-001 on or before March 6, 2025.

Please feel free to reach out should you have any questions.

Respectfully submitted,

Phillips Lytle LLP

By *Thomas F. Puchner*

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