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May 16, 2025

*Via Email*

Hon. Michelle L. Phillips  
Secretary to the Commission  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223  
secretary@dps.ny.gov

Re: Case No. 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,

Please find attached for filing in the above-referenced proceeding a comment letter by Earthjustice on behalf of Clean Air Coalition of Western New York, Inc. and Sierra Club regarding Petitioners' responses to Staff's directive for clarification.

Respectfully submitted,

Mariana Lo  
Supervising Litigation Paralegal  
Earthjustice

cc: Party List