

BEFORE THE
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition of Fortistar North Tonawanda Inc. 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.

Case No. 21-M-0238

**NOTICE OF RENEWED REQUEST
FOR SCHEDULE**

PLEASE TAKE NOTICE that by letter dated February 7, 2025, Department of Public Service Staff directed that Petitioners submit supplemental responses to the January 30, 2025 Staff Directive be filed in the DMM by March 6, 2025, except for "any discrete portion" that contains confidential information.

PLEASE TAKE FURTHER NOTICE that as of March 7, 2025, no supplemental responses whatsoever had been posted in the DMM for this matter.

PLEASE TAKE FURTHER NOTICE that Earthjustice, Clean Air Coalition of Western New York, and Sierra Club request the opportunity to respond to the supplemental data that Petitioners are required to supply. As described in the December 19, 2024, Notice of Annulment and Request for Schedule, Digihost has substantially increased the emissions of the Fortistar facility, raising significant questions under the Climate Leadership and Community Protection Act. Earthjustice, Clean Air Coalition of Western New York, and Sierra Club request a schedule establishing a date by which they will be permitted to supply supplemental information to aid in the Commission's evaluation of this matter so that further damage may be forestalled and existing damages mitigated.

Dated: March 7, 2025
New York, NY

Respectfully Submitted,

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