

ELECTRONIC SUBMISSION

August 30, 2021

John B. Howard, Interim Chief Executive Officer  
Hon. Michelle L. Phillips, Secretary to the Commission  
James A. Denn, Public Information Officer  
New York Department of Public Service Commission  
Empire State Plaza, Agency Building 3  
Albany, NY 12223-1350

RE: Fortistar North Tonawanda,  
North Tonawanda, New York Fortistar North Tonawanda, Inc.  
Case Number: 21-M-0238

Dear Mr. Howard, Ms. Phillips, and Mr. Denn,

Buffalo Niagara Waterkeeper (BNW) is a regional non-profit organization whose jurisdiction includes the entire Niagara River watershed. Our mission is to protect and restore our water and the health of our surrounding ecosystems and community. On behalf of our constituents who reside in the City of North Tonawanda, as well as on behalf of those who may be impacted by the proposed project from nearby communities, we oppose this transaction.

Transfer of ownership of the Fortistar North Tonawanda (FNT) facility to Digihost will result in a proof of work cryptocurrency mining operation which will use the energy facility to generate energy by burning fossil fuels for the sole purpose of running data computers and producing cryptocurrencies. This processing is extremely energy intensive, and will increase carbon dioxide emissions and co-pollutants emitted from the plant.

The FNT facility operated infrequently over the last several years, approximately 14 - 20 days each year since 2018. The power plant's annual emissions were 12,448 tons of CO2 for 2018, 9,245 tons of CO2 for 2019, and 10,981 tons of CO2 for 2020. The amount of estimated CO2 emissions at this power plant, as a Bitcoin mining operation, will be approximately thirty times its 2020 CO2 emissions.

This transaction is not in the Public Interest because increased energy production will be exclusively used by Digihost to support cryptocurrency mining, providing little to no meaningful public energy benefit but contributing to greenhouse emissions, and decreasing the surrounding area's air quality.

Moreover, given the climate crisis and New York State's nation-leading goals codified in the Climate Leadership and Community Protection Act (CLCPA), including 85% reduction of greenhouse gasses by 2050, it is not within the public interest, as per PDC Section 83, to approve



this requested transfer which will overly burden the surrounding community and it is certainly not within the public interest to do so without further review as is requested by the applicant.

This is not an outlier but the second example of a private company seeking to use fossil fuel derived energy for private profit, while supplying no energy to meet community need. Using energy for this sort of activity undermines our ability to meet the demands of the Climate Leadership and Protection Act and face the climate crisis.

The Public Service Commission should thoroughly and thoughtfully review this request with the public interest, including clean air, clean water and a healthful environment for New York State residents, in mind. We urge the PSC to deny this transaction.

Respectfully Submitted,

Jill Jedlicka  
Executive Director  
Buffalo Niagara Waterkeeper

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