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May 21, 2021

Via E-Mail

Hon. Michelle L. Phillips
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

RE: Case 21-M-0238 - Petition of Fortistar North Tonawanda LLC and Digihost International Inc. for a Declaratory Ruling Regarding Application of Sections 70 and 83 of the New York State Public Service Law, and, in the Alternative, Approval of the Proposed Transaction Pursuant to Sections 70 and 83

Dear Secretary Phillips:

By transmittal letter dated May 4, 2021 filed in the above-referenced proceeding, Earthjustice and the Sierra Club Atlantic Chapter forwarded to you, Acting Chairman John B. Howard and Public Information Officer James A. Denn a copy of correspondence dated April 6, 2021 and May 4, 2021 addressed to officials of the New York State Department of Environmental Conservation (“DEC”) commenting on the above-referenced matter. On behalf of our client, Beowulf Energy, the owner of Somerset Operating Company and Cayuga Operating Company, we are enclosing for filing herein a letter dated May 20, 2021 from Michael Enright, Senior Managing Director of Beowulf Energy, to the DEC correcting the erroneous suggestion, at page 4 of the April 6, 2021 letter, that the Somerset and Cayuga facilities are being converted to data centers that could produce greenhouse gas emissions totaling “over 6 million tons of CO₂eq.” As Mr. Enright’s letter points out, the two plants are currently being dismantled and there is no potential for behind-the-meter or off-grid power generation at these sites.

We are providing a copy of this filing to counsel identified on the Commission’s Party List for this proceeding.

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Beowulf Energy appreciates the opportunity to provide the Commission with the foregoing clarification.

Very truly yours,

A handwritten signature in blue ink, reading "Stanley W. Widger, Jr." in a cursive script.

Stanley W. Widger, Jr.

Enclosure

cc (w/enc): David B. Johnson, Esq.