

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 21-M-0238 - 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.

NOTICE CONCERNING COMMENT PERIOD

(Issued September 10, 2021)

By letter dated September 1, 2021, Earthjustice and Sierra Club Atlantic Chapter requested an extension of time to file public comment on the April 15, 2021 *Petition for Declaratory Ruling Regarding Application of Sections 70 and 83 of The New York State Public Service Law (PSL)*, and, in the *Alternative, Approval Under Sections 70 and 83* (Petition), filed by Fortistar North Tonawanda LLC and Digihost International Inc. (collectively, the Petitioners) in this case. Notice of the Petition was published in the State Register on July 14, 2021, thus commencing a 60-day State Administrative Procedure Act (SAPA) comment period.

On August 26, 2021, Petitioners filed a Petition supplement that Earthjustice and Sierra Club Atlantic Chapter assert warrants an extension of the public comment period.

PLEASE TAKE NOTICE that public comments concerning the Petition, as supplemented, will be accepted in this case, until October 12, 2021.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary