

STATE OF NEW YORK  
OFFICE OF RENEWABLE ENERGY SITING

SUPPLEMENTAL COMBINED NOTICE OF AVAILABILITY OF DRAFT PERMIT  
CONDITIONS, PUBLIC COMMENT PERIOD AND PUBLIC COMMENT HEARING,  
AND COMMENCEMENT OF ISSUES DETERMINATION PROCEDURE

**Applicant:** Horseshoe Solar Energy LLC  
123 S. Cayuga Street, Suite 201  
Ithaca, New York 14850

**Facility Location:** Town of Caledonia, Livingston County, New York  
Town of Rush, Monroe County, New York

**Applicant's Attorney:** John W. Dax, Esq.  
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**ORES DMM Matter No.:** 21-02480

**Facility Description:** Applicant applied to the New York State Office of Renewable Energy Siting (Office or ORES) for a permit pursuant to Executive Law § 94-c to construct and operate a 180-megawatt (MW) solar energy facility located in the Town of Caledonia, Livingston County, and the Town of Rush, Monroe County.

**Prior Combined Notice of Availability of Draft Permit Conditions, Public Comment Period and Public Comment Hearing, and Commencement of Issues Determination Procedure:** Applicant filed a transfer application from a pending Public Service Law (PSL) article 10 proceeding on December 23, 2021. Because an application completeness determination was issued in the PSL article 10 proceeding, the transfer application was deemed complete upon filing.

ORES staff published draft permit conditions on February 18, 2022. The draft permit conditions may be accessed at <https://ores.ny.gov/permit-applications>, click on Project DMM Matter Number 21-02480.

On February 22, 2022, the ORES Office of Hearings issued a combined notice of availability of draft permit conditions, public comment period and public comment hearing, and

commencement of issues determination procedure (Combined Notice). The Combined Notice scheduled a virtual public comment hearing for April 26, 2022, at 5:00 p.m. The Combined Notice also established a deadline of April 28, 2022, for the filing of written public comments and other deadlines for the issues determination procedure. The Combined Notice and instructions on how to attend the virtual public comment hearing and file written public comments may be accessed at <https://ores.ny.gov/permit-applications>, click on Project DMM Matter Number 21-02480.

**In-Person Public Comment Hearing:** PLEASE TAKE NOTICE THAT in addition to the virtual public comment hearing scheduled for April 26, 2022, a public comment hearing pursuant to 19 NYCRR part 900 to hear and receive unsworn comments from the public will be held in person at the **Grand Ballroom of the Avon Inn, 55 East Main Street, Avon, New York 14414 on Wednesday, April 27, 2022, at 5:00 p.m.**

All persons, organizations, corporations, or government agencies who may be affected by the facility are invited to attend the hearing and comment on the application and the draft permit conditions. Lengthy comments will not be accepted and instead should be submitted in writing. Equal weight will be given to both oral and written comments. To ensure that all interested persons have an opportunity to speak, the Administrative Law Judge (ALJ) may limit the time available for oral comments to 3 minutes per person. The public comment hearing will be transcribed for inclusion in the administrative record.

It is not necessary to provide comments at both the virtual and in-person hearings. At the in-person hearing, preference will be given to speakers who did not speak at the virtual hearing.

The hearing location is reasonably accessible to persons with a mobility impairment. Interpreter services shall be made available to deaf persons, and English language translator services shall also be made available, at no charge for either service, upon written request to Chief ALJ James T. McClymonds, New York State Office of Renewable Energy Siting, c/o OGS Mailroom, Empire State Plaza, 240 State Street, P-1 South, J Dock, Albany, NY 12242, email: [general@ores.ny.gov](mailto:general@ores.ny.gov). All requests must be received no later than 4:00 p.m. on April 13, 2022.

In the event that the in-person public comment hearing needs to be canceled, rescheduled, postponed, or conducted virtually,

notification of any change will be available at the ORES website at <https://ores.ny.gov>.

**Statutory and Regulatory Provisions:** The application is being processed and this proceeding is being conducted according to Executive Law § 94-c and 19 NYCRR part 900.

Michael S. Caruso  
Administrative Law Judge

Gregg C. Sayre  
Administrative Law Judge

March 30, 2022  
Albany, New York