

STATE OF NEW YORK  
OFFICE OF RENEWABLE ENERGY SITING

CORRECTED\* NOTICE OF VIRTUAL PUBLIC COMMENT HEARINGS

**Applicant:** Hecate Energy Columbia County 1 LLC  
621 W. Randolph Street  
Chicago, IL 60661  
Attn: Matthew Levine

**Facility Location:** Town of Copake, Columbia County

**Applicant's Attorney:** Noah Shaw, Esq.  
Foley Hoag LLP  
1301 Avenue of the Americas, 25<sup>th</sup> Floor  
New York, NY 10019

**ORES DMM Matter No.:** 21-02553

**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 60-megawatt (MW) solar energy facility known as the Shepherd's Run Solar Farm located in the Town of Copake, Columbia County. The facility would include, but is not limited to, photovoltaic ("PV") solar panels; inverters; security fencing; access roads; a substation; and a point of interconnection ("POI") with the Craryville 115 kilovolt (kV) substation owned by New York State Electric and Gas Corporation (NYSEG).

Applicant filed the application with the Office on March 8, 2022. A notice of complete application was issued on August 25, 2023 (see <https://ores.ny.gov/permit-applications>, click on Project DMM Matter Number 21-02553).

ORES staff published draft permit conditions on October 24, 2024. The draft permit conditions may be accessed at <https://ores.ny.gov/permit-applications>, click on Project DMM Matter Number 21-02553.

**ORES Staff Position:** On issuing the draft permit conditions, ORES staff takes the position that the proposed facility, together with the uniform and site-specific standards and conditions contained in the draft permit condition, would comply with applicable laws and regulations. ORES staff recommends that the Office elect not to apply, in whole or in part, any local law or ordinance that as applied to the facility is unreasonably burdensome in view of the Climate Leadership and Community Protection Act targets and the environmental benefits of the proposed facility.

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\* This notice corrects the notice of virtual public hearing issued by the Office on October 24, 2023. The sole correction is the contact for applicant.

**Virtual Public Comment Hearings:** Public comment hearings pursuant to 19 NYCRR part 900 to hear and receive unsworn comments from the public will be held before an Administrative Law Judge (ALJ) on **Thursday, January 11, 2024, at 1:30 PM and 6:00 PM. The hearings are being conducted electronically through the Webex Events platform and by telephone.**

Each public comment session will begin with a brief presentation about the project by applicant. The remainder of the sessions will be devoted to receiving public comments on the application and draft permit conditions.

In addition to the two virtual hearings, four in-person public comment hearings are also scheduled for 1:30 PM and 6:00 PM on Tuesday, January 9, and Wednesday, January 10, 2024. In addition, a written public comment period and the issues determination procedure on the application and draft permit conditions have been initiated for the facility. For information about how to attend the in-person public comment hearings, submit written comments, and participate in the issues conference and any adjudicatory proceedings conducted on the application, please see the combined notice of availability of draft permit conditions, public comment period and in-person public comment hearings, and commencement of issues determination procedure posted at <https://ores.ny.gov/permit-applications>, click on Project DMM Matter Number 21-02553.

All persons, organizations, corporations, or government agencies who may be affected by the facility are invited to attend the hearings and comment on the application and the draft permit conditions. Instructions on how to attend the hearing electronically or by telephone are provided below. 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 ALJ may limit the time available for oral comments to three (3) minutes per person. It is not necessary to repeat oral comments at each of the hearing sessions. The ALJ will give priority to persons who have not spoken at a prior in-person or virtual session to assure that all interested persons are heard. The public comment hearings will be transcribed for inclusion in the administrative record.

Because the hearing is being conducted electronically, it 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, Office of Renewable Energy Siting, Empire State Plaza, P-1 South, J Dock, Albany, NY 12242, (518) 473-4590, [hearings@ores.ny.gov](mailto:hearings@ores.ny.gov). All requests must be received no later than 4:00 p.m. on Tuesday, December 26, 2023.

**Document Availability:** Copies of all application materials and draft permit conditions are available for inspection from the Office's Albany office during normal business hours: Contact the Office of Renewable Energy Siting, W.A. Harriman Campus, Building 9, 4th Floor, 1220 Washington Avenue, Albany, NY 12227, (518) 473-4590, [hearings@ores.ny.gov](mailto:hearings@ores.ny.gov). Electronic copies are available at <https://ores.ny.gov/permit-applications>, click on Project DMM Matter Number 21-02553

Copies of all application materials are also available at the Roecliff Jansen Community Library, 9091 State Route 22, Hillsdale, NY 12529.

**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.

**Instructions for Attending the Virtual Public Comment Hearings:**

**Thursday, January 11, 2024, at 1:30 PM:**

To join the 1:30 PM hearing through the internet, visit [www.webex.com](http://www.webex.com) and click “Join a Meeting.”

**Meeting Number: 2333 363 4489**  
**Password: Jan11-1pm**

To join the 1:30 PM hearing by phone only:

**Dial: 1-518-549-0500**  
**Access Code: 2333 363 4489**  
**Password: 52611018**

**Thursday, January 11, 2024, at 6:00 PM:**

To join the 6:00 PM hearing through the internet, visit [www.webex.com](http://www.webex.com) and click “Join a Meeting.”

**Meeting Number: 2336 636 7642**  
**Password: Jan11-6pm**

To join the 6:00 PM hearing by phone only:

**Dial: 1-518-549-0500**  
**Access Code: 2336 636 7642**  
**Password: 52611068**

Persons wishing to comment on the application or the draft permit conditions will have the opportunity to make a statement at the virtual public comment hearings. **Any person wishing to provide a public statement must register in advance of the hearing no later than 10:00 A.M. on Wednesday, January 10, 2024.** Any person who wants only to observe the hearing online must also pre-register. Any person may listen to the hearing by phone without pre-registration.

**To register electronically:** Persons who will login to a hearing electronically must register. To register, visit <https://www.webex.com>, click on “Join a Meeting,” input the meeting number listed above, click “Register,” and fill in the requested information. You will be asked

whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing.

On the appropriate date and time of the hearing, participants should visit <https://www.webex.com>, click “Join a Meeting” at the top right-hand corner of the screen, and input the appropriate meeting number and password for the hearing. Participants will be asked to “select audio system.” It is recommended that participants choose to have the system “call me” or “call using computer.” The “call me” option will require participants to enter their phone numbers.

**To register by telephone:** Any person who is not able to login electronically may participate by telephone. Any person may listen to the hearing by phone without pre-registration. Call-in participants who wish to make a public comment must register in advance no later than 10:00 A.M. on Wednesday, January 10, 2024, by calling (518) 473-4590 or by emailing [hearings@ores.ny.gov](mailto:hearings@ores.ny.gov). Please provide your first and last name, the organization you represent if any, address, email address if any, and telephone number. Please reference the Shepherd’s Run Solar public comment hearings and indicate the hearing session at which you would like to speak. When leaving a message, please speak slowly and clearly.

On the day and time of the hearing, use the phone access phone number, (518) 549-0500, and the appropriate access code and password listed above to join the hearing.

All participants will be muted upon entry into the hearing. The ALJ will call on each person who has registered to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. To ensure that all interested persons have an opportunity to speak, the ALJ may limit the time available for oral comments to three (3) minutes per person. Lengthy comments should be summarized for oral presentation and submitted in writing as provided in the combined notice posted at <https://ores.ny.gov/permit-applications>, click on Project DMM Matter Number 21-02553. The hearing will be stenographically recorded for inclusion in the record.

James T. McClymonds  
Chief Administrative Law Judge

November 3, 2023  
Albany, New York