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February 20, 2026

**VIA DOCUMENT & MATTER MANAGEMENT**

Hon. Michelle L. Phillips, Secretary  
NYS Public Service Commission  
Office of Renewable Energy Siting  
Empire State Plaza | Agency Building 3  
Albany, New York 12223-1350

Re: ORES No. 21-02480 | Horseshoe Solar Energy LLC  
Field Modification Request/Minor Permit Modification Request No. 04

Dear Secretary Phillips

This firm represents Horseshoe Solar Energy LLC (HSS). HSS was awarded a Siting Permit for a Major Renewable Energy Facility (Siting Permit) on December 22, 2022, by the New York State Office of Renewable Energy Siting (ORES or Office). On November 28, 2025, the Office issued a limited “Notice to Proceed” (NTP), authorizing installation of underground conduit under the Genessee River using horizontal directional drilling (HDD).

In accordance with Section 8.0 of the approved *Construction Operations Plan-Genessee River Crossing* (DMM Item No. 53) and 16 NYCRR §1100-11.1(a), HSS hereby submits the attached *Permit Modification Request (Field Change) Form*, dated February 16, 2026, to request a minor permit modification as set forth therein. The proposed modification is being submitted after consultation with ORES and is for authorization to use a flexible hydrophobic foam for ground water control. The purpose of the foam is to prevent surfacing of groundwater encountered during construction. The proposed modification will not result in any material increases in any identified adverse environmental impact nor require changes to the permit standards or conditions of the Siting Permit. All environmental impacts will be wholly consistent with those impacts previously identified and evaluated by ORES. HSS confirms that there are no outstanding permit violations at the facility.

HSS considers the proposed modification to be a minor modification, as defined at 16 NYCRR §1100-1.2(ai), and requests that ORES confirm that determination and conclude that these requests may be processed by ORES without further procedure pursuant to 16 NYCRR § 1100-11.1(c).

Please contact me if you have any questions or concerns regarding the above.

Respectfully submitted,

*/s/ William F. McLaughlin*

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Enclosures

Cc: DMM Party List