



February 24, 2026

Horseshoe Solar Energy LLC  
Attn: William F. McLaughlin, Esq.  
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Re: DMM Matter No. 21-02480 – Application of Horseshoe Solar, LLC for a Permit Modification for a Major Renewable Energy Pursuant to Article VIII of the New York State Public Service Law to Develop, Design, Construct, Operate, Maintain and Decommission a 180-Megawatt (MW) Solar Energy Facility located in the Town of Caledonia, Livingston County and the Town of Rush, Monroe County, New York.

**Horseshoe Solar – Permit Modification Request No. 4 Determination**

Dear William F. McLaughlin:

Pursuant to Article VIII and its implementing regulations (Title 16 of the Official Compilation of Codes, Rules, and Regulations of the State of New York [16 NYCRR] Part 1100), the Office of Renewable Energy Siting and Electric Transmission (Office or ORES) issued the above-captioned Major Renewable Energy Facility Siting Permit (Permit) to Horseshoe Solar SSC (Permittee or HSS) for a 180 MW solar facility (Facility) on December 9, 2022.

Subject to the terms, conditions, and requirements in the Permit, the Permittee is authorized to develop, design, construct, operate, maintain, and decommission a solar facility with a nameplate generating capacity of up to 180 MW in the Town of Caledonia, Livingston County and the Town of Rush, Monroe County.

On February 20, 2026, the Permittee submitted a request to modify the Permit pursuant to 16 NYCRR § 1100-11.1 (Minor Modification Request No. 4, DMM Item 126) (Request 4). During horizontal directional drilling (HDD) activities on February 3rd, 2026, groundwater began to surface at an HDD entry location. The Permittee requests to utilize flexible hydrophobic foam to control groundwater surface returns. The foam product is approved and accepted by NSF/ANSI 61 as safe for drinking water and will be introduced to the HDD path to prevent future surfacing.

The Office has reviewed the Permittee’s request and concludes that the proposed modifications would not result in any material increase in any identified adverse environmental impact, or any significant adverse environmental impact not previously addressed by uniform or site-specific

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standards or conditions or otherwise involve a substantial change to an existing permit standard or condition. The Office also consulted with the Department of Environmental Conservation (DEC) about the proposed foam and the application methodology of the minor modification 4, they have no objections. The Permittee's request constitutes a minor modification pursuant to 16 NYCRR § 11001.2(ai). The Permittee may proceed with implementing its Facility design as described in Request 4. This letter constitutes the Office's notice of the determination pursuant to 16 NYCRR § 1100-11.1(b).

The approval of this permit modification request does not relieve the Permittee of the obligation to comply with the standards, conditions, and requirements set forth in the Permit and the Permittee is still required to comply with all applicable provisions of the uniform standards and conditions (subpart 5 of the Permit), site specific conditions (subpart 6 of the Permit), and applicable pre-construction and post-construction compliance filings (subpart 7 of the Permit). The Permittee must adhere to the changes as described in Request 4 in its final design implementation.

Sincerely,



Jason Zehr  
Deputy Director, Transmission  
Office of Renewable Energy Siting and Electric Transmission

cc: Party List for this Proceeding