

January 24, 2025

THE OMNI
333 EARLE OVINGTON BLVD, SUITE 901
UNIONDALE, NEW YORK 11553
516.880.8484

JOHN J. ANZALONE
MEMBER
DIRECT: (516).880.8108
FAX: 516.880.8483
JANZALONE@HARRISBEACHMURTHA.COM

VIA ELECTRONIC MAIL

Town of Brookhaven Industrial Development Agency
c/o Town of Brookhaven Division of Economic Development
One Independence Hill
Farmingville, NY 11738
Attn: Lisa Mulligan, Executive Director

Re: Key Capture Energy, LLC / KCE NY 31, LLC – Shoreham LIPA Facility -
No # North Country Road, Shoreham, NY

Dear Ms. Mulligan:

As discussed, the Town of Brookhaven Industrial Development Agency (the “Agency”) posted an updated application form on its website, dated January 15, 2025, which reflects the increase in the applicable sales tax rate in Suffolk County from 8.625 % to 8.75 %, which change becomes effective on March 1, 2025. Please let this letter serve as a request to amend the application to reflect a calculation of the sales and use tax benefits on the 8.75 %. This would result in a requested sales and use tax exemption of \$6,437,926.

In furtherance thereof, as well as the change in the Agency’s requirements for granting mortgage recording tax exemption benefits, please find enclosed an amended page 15 of the application filed by KCE NY 31, LLC reflecting the proposed sales and use tax exemption based on the 8.75 % amount, as well as removing the request for mortgage recording tax exemption.

Please note that there is no amendment to the proposed project and the changes are solely related to the change in the applicable sales tax rate and to conform the project application with the Agency’s current policies.

After you have reviewed the enclosed, please do not hesitate to contact us.

Very truly yours,



John J. Anzalone

Encls.