



December 23, 2025

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Via Federal Express #887370957859
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West Warwick Energy Storage 3, LLC
7 Times Square Tower, Suite 3504
New York, New York 10036
Attn: Frank Genova

Re: Convergent Battery Energy Storage System
28 Church Street, Village of Warwick
Our File No. 17404-201

Dear Mr. Genova:

This office represents the Village of Warwick.

On December 19-21, a fire occurred at Convergent's battery energy storage system (BESS) located at the above address in the Village of Warwick. The facility is located in an area of nearby residences and businesses. A similar fire occurred in 2023 at Convergent's other BESS facility in Warwick, and this Church Street facility also experienced a potential hazard event shortly after that fire. The first fire was caused by rain or moisture intrusion into the battery storage containers and the December 19-21 fire occurred shortly after a wind/rain event. It is obvious that Convergent has not taken the necessary safety measures or hardened its equipment.

Email correspondence demonstrates that earlier this year Convergent refused to address safety concerns raised in writing by the Village. These concerns related directly to the hazardous moisture potential and inspection of the facility to address these concerns. Convergent's representative informed the Village Building Inspector in an August 21, 2025, email that leak detection inspections are not necessary. This is obviously not the case. Convergent's disregard of the Village Engineer and Building Inspector requests and disregard of the safety of surrounding persons and property is appalling.

Convergent is operating the BESS facility without the required certificate of compliance. Orange & Rockland has informed the Village that the facility was connected to the electric grid on July 6, 2024. Even if not connected to the grid, the storage of electric energy at the facility constitutes unlawful operation without the certificate of compliance.

Through this letter, the Village Building Inspector is ordering Convergent to immediately (i) reduce the stored energy in the battery units to the maximum extent feasible, (ii) take all other technical measures to assure there is no re-ignition, and (iii) disconnect the facility from the electric grid and all other connections. The Village demands that Convergent schedule an immediate inspection of the facility with the Building Inspector and the Village's engineering consultant. A certificate of compliance will not be issued until the Building Inspector and the Village's engineering consultant are satisfied that all necessary safety measures have been implemented at the facility.

The Village will seek reimbursement of all of its fees and expenses incurred as a result of this safety hazard caused by Convergent.

The Village expects full cooperation by Convergent. The Village reserves all rights and remedies.

Very truly yours,



J. Benjamin Gailey

JBG/rmc

cc: Daniel Spitzer, Esq. (via email only to dspitzer@hodgsonruss.com)
Steven Meyers (via email only to smeyers@convergentep.com)
Village Board of Trustees (via email only)
Village Building Inspector (via email only)