



24 Waterway Avenue, Suite 740
The Woodlands, TX 77380

7/18/22

Sarah Esterson
Senior Policy Advisor
5505 Capitol St. NE
Salem, OR 97301

Dear Ms. Esterson:

Perennial Power Holdings, Inc (PPH) is providing formal notice of its request to terminate the site certificate for the Perennial Wind Chaser Station.

Based on OAR 345-027-0110, PPH is submitting this termination request for Perennial Wind Chaser Station's (PWC) Site Certificate which was originally issued on 09/18/2015 and amended on 11/22/19.

The PWC project was divided into two construction phases. Phase one was limited to the construction of an access road and a professionally engineered bridge on PPH's property. Phase two was to entail construction of the plant and all associated infrastructure. The second phase of the PWC project was not commenced, which significantly limited the impact on the approved construction site.

The area affected by the phase one construction project is approximately .15 acres and is located in an industrial area of Umatilla County. The surrounding properties are industrial in nature and include major highway, rail, and electrical infrastructure as well as numerous industrially focused businesses. We have attached images showing the PWC site, the bridge, and associated road, as well as an area map showing the industrial nature of the properties surrounding the PWC site as Exhibit 1.

Construction on phase one of the PWC project started on September 21, 2020 and was completed on March 31, 2021. Phase one of the PWC project is complete and no additional construction will be performed under the authority of the Site Certificate.

The 1200-C Construction Stormwater Permit issued to PPH by the Oregon Department of Environmental Quality, File Number 123523, was terminated effective April 27, 2022. The termination of this 1200-C Permit restricts PPH's ability to construct phase two of the PWC project.

During the termination process for the 1200-C Permit, PPH was required to restore the site to a useful, non-hazardous condition, including the provision of information on how impacts to fish, wildlife and the environment were minimized during the retirement process. All of these requirements were met and have been completed. PPH has paid for all costs associated with meeting all of the termination of the 1200-C Permit requirements and

PPH does not anticipate any additional costs to be incurred as the site has been restored. The restoration requirements under the ODOE Site Certificate are similar in nature to the ODEQ requirements and, as such, have been met (i.e., the site has been returned to a state that protects public health, safety, and the environment). We have attached a copy of the Termination of General NPDES Permit No. 1200-C Termination Letter from the Oregon Department of Environmental Quality as Exhibit 2.

The access road and bridge that were constructed during phase one of the PWC project are beneficial and necessary to maintain the usefulness of PPH's privately held property. Umatilla County has confirmed that the road and bridge were constructed with the proper permits obtained through the County Planning Department and are considered an accessory to the use of the property and will be allowed to continue use after the Site Certificate is terminated. We have attached a confirmation letter to that effect from the Umatilla County Department of Land Use Planning and images of the access road and bridge as Exhibit 3.

As required by OAR 345-021-0010(1)(f), PPH has attached a list of the described property owners and associated public notice map as Exhibits 4 & 5.

As required by OAR 345-027-0110 (5)(a), the certificate holder must include a plan for retirement that provides for completion of retirement without significant delay and that protects public health, safety and the environment;

The current state of PWC currently poses no threat to public health, safety and the environment.

As required by OAR 345-027-0110 (5)(b), the certificate holder must provide a description of actions the certificate holder proposes to take to restore the site to a useful, non-hazardous condition, including information on how impacts to fish, wildlife and the environment would be minimized during the retirement process;

The certificate holder intends to leave the infrastructure (site access road and bridge) in place for ingress/egress to private property and will therefore have no impact to fish, wildlife and the environment during the retirement process.

As required by OAR 345-027-0110 (5)(c), the certificate holder must provide a current detailed cost estimate and a plan for ensuring the availability of adequate funds for completion of retirement; and

Currently, there are no projected costs associated for retirement as shown in Exhibit 6 (Restoration Costs), but have included the Standby Letter of Credit as Exhibit 7, ensuring adequate funds. There will be general road and bridge maintenance during the lifecycle of the improved infrastructure, which will be the responsibility of the property owner.

Based upon the foregoing, all obligations under the site certificate have been met and, accordingly, PPH requests a termination of the PWC site certificate.

Sincerely,

JJ Jamieson

JJ Jamieson

Vice President, Operations and Development
Perennial Power Holdings, Inc.
Senior Vice President, Hermiston Generating Company

Application for Termination Attachments

Exhibit 1: Site Map

Exhibit 2: 1200-C Termination

Exhibit 3: Letter from Umatilla County

Exhibit 4: Property Owner Information

Exhibit 5: Property Owner Map

Exhibit 6: Decommissioning Estimate

Exhibit 7: Letter of Credit

Exhibit 1: Site Map

Industrial Sites Surrounding PWC site

Legend



EX1 Hermiston Gen
Hermiston Gen
Hermiston Generating Co LLP

PWC

Amazon Web Services

DE2
DE1

2000 ft

Google Earth



Exhibit 2: 1200-C Termination



Oregon

Kate Brown, Governor

Department of Environmental Quality
Water Quality

April 27, 2022

Bradley Knight
Perennial WindChaser LLC
24 Waterway Ave Suite 740
The Woodlands, Texas 77380

Re: Termination of General NPDES Permit No. 1200-C Assignment
Termination Letter
Facility – Perennial Wind Chaser Station, Ext To 78145 Westland Rd., Hermiston, Oregon,
97838, Umatilla County

Dear Bradley Knight,

Per your request received on 03-29-2022, assignment of 1200C Construction Stormwater Permit coverage for the site referenced above has been terminated, effective the date of this letter. Please contact the DEQ stormwater permitting program staff if you have further questions.

Sincerely,

[DEQ Stormwater Permitting Program](#)

Exhibit 3: Letter from Umatilla County

Umatilla County

Department of Land Use Planning



DIRECTOR
ROBERT WALDHER

May 17, 2022

LAND USE
PLANNING,
ZONING AND
PERMITTING

Oregon Department of Energy
Attn: Sarah Esterson, Senior Policy Advisor
550 Capital Street NE
Salem, OR 97301

CODE
ENFORCEMENT

Subject: Perennial Wind Chaser Site Certificate Termination

SOLID WASTE
COMMITTEE

Dear Ms. Esterson:

SMOKE
MANAGEMENT

GIS AND
MAPPING

The purpose of this letter is to address existing land uses occurring on property owned by Hermiston Generating Co. LP in Umatilla County. It is our understanding that the applicant, Perennial Power Holdings, Inc., has provided notice of intent to terminate the site certificate for the Perennial Wind Chaser Project. Our department finds that the existing developments on the property (i.e. access road, and bridge) have received proper permits through the County Planning Department, are considered accessory to the use of the property, and will be allowed to continue use after project termination.

RURAL
ADDRESSING

LIAISON, NATURAL
RESOURCES &
ENVIRONMENT

PUBLIC TRANSIT

Thank you for your attention to our comments. Additional questions may be directed to Robert Waldher, Planning Director, Umatilla County Planning, 216 S. E. 4th Street, Pendleton, Oregon 97801; phone (541) 278-6251 or e-mail at robert.waldher@umatillacounty.gov.

Sincerely,

A handwritten signature in blue ink that reads "Robert T. Waldher".

Robert T. Waldher,
Planning Director

CC: Bradley Knight, General Manager - Hermiston Generating Co. LP
File

Exhibit 4: Property Owner Information

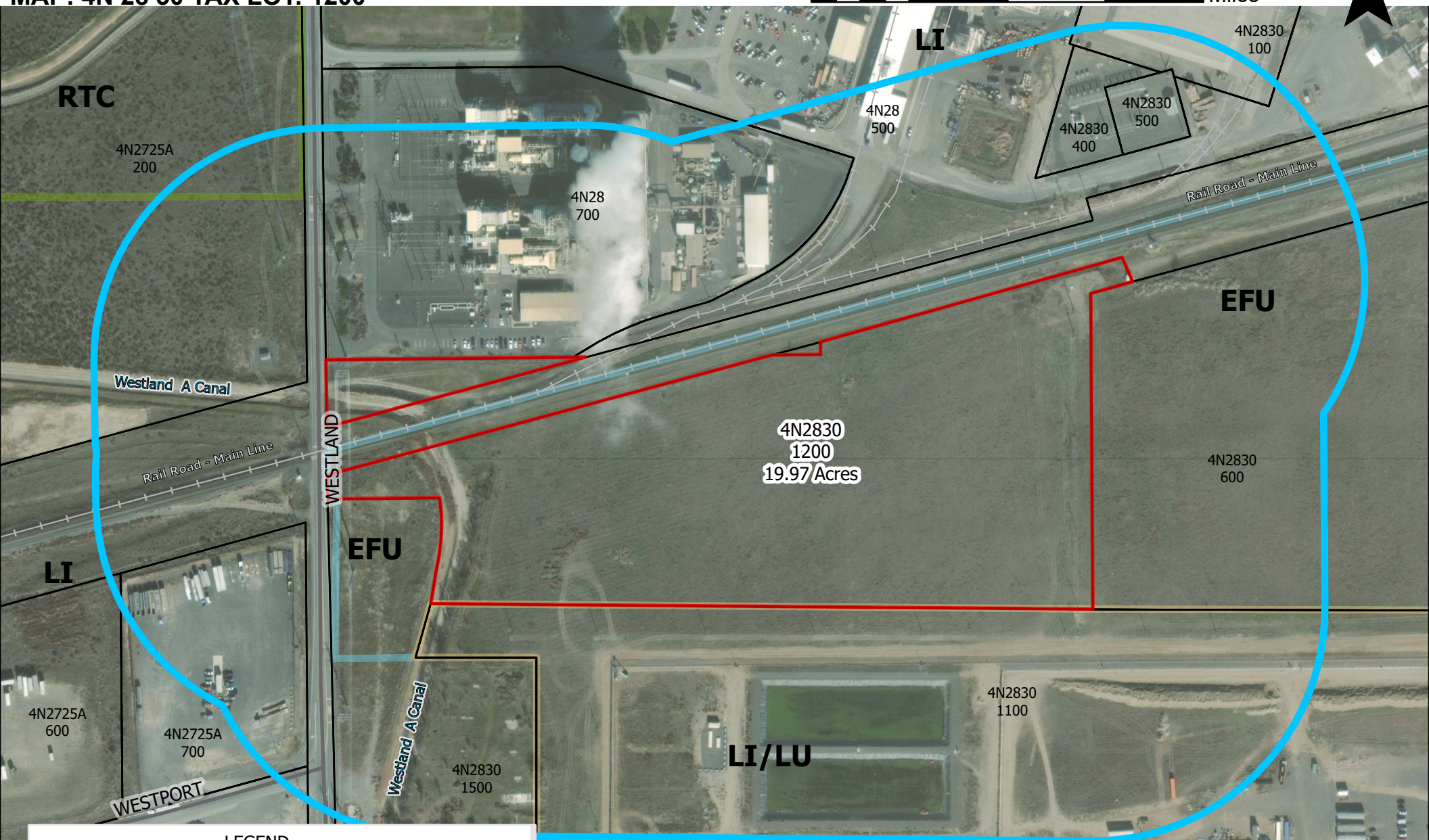
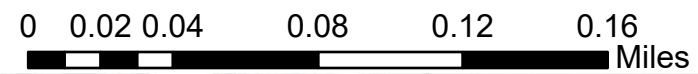
Exhibit 4 Property Owner Information

Account_ID	Map_Tax	MAP	Taxlot	OWNER	IN_CARE_OF	AGENT	M_ADDRESS	M_CITY	M_STATE	ZIP
116888	4N2725A000200	4N2725A0	200	FLYING J INC	C/O PILOT TRAVEL CENTERS LLC #600		PO BOX 54470	LEXINGTON	KY	40555
147610	4N2725A000500	4N2725A0	500	FARMLAND RESERVE INC		RIVER POINT FARMS	PO BOX 511196	SALT LAKE CITY	UT	84151
143635	4N2725A000600	4N2725A0	600	BT PROPERTY LLC	ATTN:CORPORATE REAL ESTATE DEPT		55 GLENLAKE PKWY	ATLANTA	GA	30328
149098	4N2725A000700	4N2725A0	700	BOUNDS ROGER S			PO BOX 148	HERMISTON	OR	97838
118206	4N28300000100	4N283000	100	ART MORTGAGE BORROWER PROPCO	MARVIN POER & CO		10 GLENLAKE PKWY #600	Atlanta	GA	30328
139644	4N28300000400	4N283000	400	UMATILLA ELECTRIC CO-OP ASSN			PO BOX 1148	HERMISTON	OR	97838
139646	4N28300000500	4N283000	500	UMATILLA ELECTRIC CO-OP ASSN			PO BOX 1148	HERMISTON	OR	97838
144903	4N28300000600	4N283000	600	BUSINESS PROPERTY GROUP LLC			2229 E AVENUE Q	PALMDALE	CA	93550
118231	4N28300001100	4N283000	1100	AMAZON DATA SERVICES INC	ATTN: TAX DEPT		PO BOX 80416	SEATTLE	WA	98108
118227	4N28300001200	4N283000	1200	PERENNIAL POWER HOLDINGS INC			300 MADISON AVE	NEW YORK	NY	10017
118221	4N28300001500	4N283000	1500	HERMISTON GENERATING CO & PACIFICORP	PACIFICORP		78145 WESTLAND RD	HERMISTON	OR	97838
118203	4N28000000500	4N280000	500	LAMB WESTON INC			PO BOX C1900	PASCO	WA	97302
151029	4N28000000700	4N280000	700	HERMISTON GENERATING CO & PACIFICORP			825 NE MULTNOMAH ST STE 1900	PORTLAND	OR	97239

Exhibit 5: Property Owner Map

APPLICANT: HERMISTON GENERATING CO. LP
OWNER: PERENNIAL POWER HOLDINGS INC
MAP: 4N 28 30 TAX LOT: 1200

PROJECT NAME: PERENNIAL WINDCHASER



LEGEND

500' Buffer Boundary	Exclusive Farm Use
Subject Parcel	Light Industrial
Tax Lots 2022	Light Industrial/Limited Use
	Rural Tourist Commercial

MAP	Taxlot	OWNER	MAP	Taxlot	OWNER
4N2725A0	200	FLYING J INC	4N283000	600	BUSINESS PROPERTY GROUP LLC
4N2725A0	500	FARMLAND RESERVE INC	4N283000	1100	AMAZON DATA SERVICES INC
4N2725A0	600	BT PROPERTY LLC	4N283000	1200	PERENNIAL POWER HOLDINGS INC
4N2725A0	700	BOUNDS ROGER S	4N283000	1500	HERMISTON GENERATING CO & PACIFICORP
4N283000	100	ART MORTGAGE BORROWER PROP	4N280000	500	LAMB WESTON INC
4N283000	400	UMATILLA ELECTRIC CO-OP ASSN	4N280000	700	HERMISTON GENERATING CO & PACIFICORP
4N283000	500	UMATILLA ELECTRIC CO-OP ASSN			

Map Disclaimer: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of the data. Parcel data should be used for reference purposes only. Created by T. Ross, Umatilla County Planning Department Date: 5/4/2022

Exhibit 6: Decommissioning Estimate

Exhibit 6 - Restoration Costs

2018 RFA1 Approved Site Restoration Plan	W/O ZLD	W ZLD	Applicable	Phase 1 Site restoration Plan	Projected Cost	Notes	Retirement Cost Estimate
Switchyard & Substation	\$128,000	\$128,000	No	\$0	\$0		\$0
Balance of Plant Misc.	\$1,065,000	\$1,028,000	No	\$0	\$0		\$0
Roads ¹	\$55,000	\$55,000	Yes	\$55,000	\$4,000	Road remains	\$0
All Balance of Plant Buildings	\$14,000	\$14,000	No	\$0	\$0		\$0
Fuel Equipment	\$118,000	\$118,000	No	\$0	\$0		\$0
All Other Tanks	\$36,000	\$36,000	No	\$0	\$0		\$0
Transformers & Foundation	\$341,000	\$341,000	No	\$0	\$0		\$0
Cooling Towers & Basin	\$216,000	\$216,000	No	\$0	\$0		\$0
ZLD System	--	\$47,000	No	\$0	\$0		\$0
Hazardous Waste Disposal	\$500,000	\$500,000	No	\$0	\$0		\$0
Concrete Removal, Crushing, & Disposal ²	\$66,000	\$66,000	Yes	\$66,000	\$43,000	Bridge remains	\$0
Grading & Seeding ³	\$317,000	\$317,000	Yes	\$317,000	\$16,000	Completed prior to 1200-C termination	\$0
Debris	\$18,000	\$18,000	No	\$0	\$0		\$0

Notes:

1 Reference cell L:23 of the "By Unit Summary Round" tab of the PWC 8.30.20 decommissioning spreadsheet

2 Reference cell L:39 of the "By Unit Summary Round" tab of the PWC 8.30.20 decommissioning spreadsheet

3 Reference cell L:40 of the "By Unit Summary Round" tab of the PWC 8.30.20 decommissioning spreadsheet

Subtotal	\$63,000
CPI Adjustment	\$64,411.93
Overhead (10%)	\$6,441.19
Profit (10%)	\$7,085.31
Insurance (3%)	\$2,338.15
Subtotal	\$80,276.59
Performance Bond (1%)	\$802.77
Gross Cost	\$81,079.36
Administration & PM (10%)	\$8,107.94
Future Development contingency (20%)	\$16,215.87
Phase 1 Site restoration Cost (Q3 2020)	\$105,403.16

Exhibit 7: Letter of Credit



MUFG Bank, Ltd.

New York Branch
1251 Avenue of the Americas
New York, NY 10020
Tel: 201-413-8044
Fax: 201-521-2312
SWIFT: BOTKUS33XXX

ORIGINAL 
INITIALS

**Irrevocable
Standby Letter of Credit No.: S527398N**

ISSUE DATE: SEPTEMBER 16, 2020

MUFG BANK, LTD.,
NEW YORK BRANCH
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020
ATTN: TRADE SERVICE OPERATIONS / STANDBY LC SECTION

BENEFICIARY:
STATE OF OREGON
ACTING BY AND THROUGH
THE ENERGY FACILITY SITING COUNCIL
C/O ENERGY SITING DIVISION ADMINISTRATOR
OREGON DEPARTMENT OF ENERGY
550 CAPITOL ST NE ' 1ST FLOOR
SALEM, OREGON 97301-3737

LADIES AND GENTLEMEN:

AT THE REQUEST AND FOR THE ACCOUNT OF PERENNIAL-WINDCHASER LLC, 300 MADISON AVENUE, NEW YORK, NY 10017, WE, MUFG BANK, LTD., NEW YORK BRANCH HEREBY ESTABLISH EFFECTIVE IMMEDIATELY, IN FAVOR OF YOU, THE STATE OF OREGON, ACTING BY AND THROUGH THE ENERGY FACILITY SITING COUNCIL ("BENEFICIARY") THIS IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER S527398N (THE "LETTER OF CREDIT") IN THE AMOUNT OF US\$110,000.00 (ONE HUNDRED TEN THOUSAND AND 00/100 UNITED STATES DOLLARS) (AS SUCH AMOUNT MAY BE REDUCED FROM TIME TO TIME BY PARTIAL DRAWS HEREUNDER, THE "STATED AMOUNT").

WE ARE INFORMED THAT THIS LETTER OF CREDIT IS BEING ISSUED IN CONNECTION WITH THE SITE CERTIFICATE FOR THE WIND CHASER 200-400MW GAS FIRED POWER PROJECT (THE 'PROJECT ') WITH THE STATE OF OREGON DATED SEPTEMBER 18, 2015, AND ITS FIRST AMENDMENT DATED NOVEMBER 22, 2019, AS MAY BE AMENDED FROM TIME TO TIME.

THIS LETTER OF CREDIT IS ISSUED, PRESENTABLE, AND PAYABLE AT OUR OFFICES AT MUFG BANK, LTD., NEW YORK BRANCH, 1251 AVENUE OF THE AMERICAS, NEW YORK, NY 10020, ATTENTION: TRADE SERVICE



OPERATIONS/STANDBY LETTER OF CREDIT SECTION AND EXPIRES WITH OUR CLOSE OF BUSINESS ON SEPTEMBER 17, 2021 (THE "EXPIRATION DATE").

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT SHALL BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR SUCCESSIVE ONE (1) YEAR PERIODS FROM THE PRESENT OR ANY FUTURE EXPIRATION DATE HEREOF, UNLESS WE PROVIDE YOU WITH WRITTEN NOTICE BY OVERNIGHT COURIER OR REGISTERED MAIL OF OUR ELECTION NOT TO EXTEND THIS LETTER OF CREDIT AT LEAST SIXTY (60) DAYS PRIOR TO ANY SUCH EXPIRATION DATE (THE PRESENT OR ANY FUTURE EXPIRATION DATE AS AFORESAID IS REFERRED TO HEREIN AS THE "EXPIRATION DATE").

SUBJECT TO THE TERMS AND CONDITIONS HEREIN, FUNDS UNDER THIS LETTER OF CREDIT ARE AVAILABLE AT SIGHT AGAINST YOUR DRAFT(S) DRAWN ON US BEARING UPON ITS FACE THE CLAUSE "DRAWN UNDER MUFG BANK, LTD., NEW YORK BRANCH LETTER OF CREDIT NUMBER S527398N DATED SEPTEMBER 16, 2020" AND ACCOMPANIED BY THE FOLLOWING DOCUMENTS:

1. THE ORIGINAL OF THIS LETTER OF CREDIT AND ALL SUBSEQUENT AMENDMENTS, IF ANY; AND
2. EITHER ONE OF THE DATED DRAW CERTIFICATE SIGNED BY AN AUTHORIZED OFFICER OF THE BENEFICIARY AND ON BENEFICIARY'S LETTERHEAD IN THE FORM OF ATTACHED EXHIBIT(S) A, B OR C TO THIS LETTER OF CREDIT (INCORPORATED HEREIN BY REFERENCE AND MADE AN INTEGRAL PART HEREOF).

PARTIAL DRAWING AND MULTIPLE PRESENTATIONS ARE PERMITTED UNDER THIS LETTER OF CREDIT, PROVIDED THAT THE STATED AMOUNT OF THIS LETTER OF CREDIT SHALL BE PERMANENTLY REDUCED BY THE AMOUNT OF EACH SUCH DRAW PAID BY US.

THIS LETTER OF CREDIT MAY NOT BE TRANSFERRED OR ANY OF THE RIGHTS HEREUNDER ASSIGNED. ANY PURPORTED TRANSFER OR ASSIGNMENT SHALL BE VOID AND OF NO FORCE OR EFFECT.

MUFG BANK, LTD., NEW YORK BRANCH AGREES THAT A DRAFT DRAWN AND PRESENTED IN CONFORMITY WITH THE TERMS OF THIS LETTER OF CREDIT WILL BE DULY HONORED UPON PRESENTATION. IF A DRAFT MADE BY BENEFICIARY DOES NOT CONFORM TO THE TERMS AND CONDITIONS OF THIS LETTER OF CREDIT, WE WILL GIVE BENEFICIARY PROMPT NOTICE THAT THE DEMAND FOR PAYMENT WILL NOT BE AFFECTED. SUCH NOTICE WILL INCLUDE A STATEMENT OF REASONS FOR THE DENIAL. UPON BEING NOTIFIED THAT THE DEMAND FOR PAYMENT WAS NOT AFFECTED IN CONFORMITY WITH THIS LETTER OF CREDIT, BENEFICIARY MAY ATTEMPT TO CORRECT THE NONCONFORMING DEMAND; PROVIDED, HOWEVER, THAT ANY DRAFT OR DOCUMENT PRESCRIBED TO CORRECT SUCH NONCONFORMING DEMAND MUST BE PROVIDED ON OR PRIOR TO THE EXPIRATION DATE.

THIS LETTER OF CREDIT SETS FORTH IN FULL OUR UNDERTAKING AND SUCH UNDERTAKING SHALL NOT IN ANY WAY BE MODIFIED, AMENDED, AMPLIFIED OR LIMITED BY REFERENCE TO ANY DOCUMENTS, INSTRUMENTS OR AGREEMENTS REFERRED TO HEREIN, EXCEPT ONLY THE EXHIBITS REFERRED TO HEREBY AND ANY SUCH



MUFG Bank, Ltd.

ORIGINAL 
INITIALS

REFERENCE SHALL NOT BE DEEMED TO INCORPORATE BY REFERENCE ANY DOCUMENT, INSTRUMENT OR AGREEMENT EXCEPT FOR SUCH EXHIBITS.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS ISSUED SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES ("ISP98"), INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590. AS TO MATTERS NOT COVERED BY THE ISP98, THIS LETTER OF CREDIT SHALL BE GOVERNED BY THE LAWS OF THE STATE OF OREGON WITHOUT REGARD TO THE PRINCIPLES OF CONFLICTS OF LAWS THEREUNDER.

MUFG BANK, LTD.,
NEW YORK BRANCH



AUTHORIZED SIGNATURE
ANTONINA BONDI, VP

ORIGINAL

Exhibit A

[EFSC LETTERHEAD]

DRAW CERTIFICATE

[DATE]

MUFG BANK, LTD., NEW YORK BRANCH
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020
ATTENTION: TRADE SERVICE OPERATIONS/STANDBY LETTER OF CREDIT SECTION

Drawn under Irrevocable Standby Letter of Credit Number S527398N dated September 16, 2020

Ladies and Gentlemen:

Any capitalized term used herein shall have the meaning defined for that term by the Letter of Credit. The undersigned, the duly elected and acting of the Beneficiary, hereby certifies as follows:

1. PERENNIAL-WINDCHASER LLC has permanently ceased commercial operation of the energy facility described in the Site Certificate for the WIND CHASER 200-400MW GAS-FIRED POWER PROJECT, as amended from time to time (the "Site Certificate").

2. Either [Select Applicable Provision]:

PERENNIAL-WINDCHASER LLC has failed to submit to Beneficiary a retirement plan for the WIND CHASER 200-400MW GAS-FIRED POWER PROJECT as required by OAR 345-027-0110.

Or

Beneficiary has issued a final order disapproving the final retirement plan proposed by PERENNIAL-WINDCHASER LLC for the WIND CHASER 200-400MW GAS-FIRED POWER PROJECT.

Or

PERENNIAL-WINDCHASER LLC has failed to comply with the terms and conditions of the approved final retirement plan for the WIND CHASER 200-400MW GAS-FIRED POWER PROJECT and Beneficiary's order authorizing retirement of the WIND CHASER 200-400MW GAS-FIRED POWER PROJECT.

3. As a result of said breach of the Site Certificate, the Beneficiary is entitled pursuant to the provisions of the Site Certificate to make demand under the Letter of Credit in the amount of US\$[_____].

4. The undersigned has concurrently presented to you its sight draft drawn in the amount specified in Paragraph 3 above, which amount does not exceed the lesser of (a) the amount the

Beneficiary is entitled to draw pursuant to the provisions of the Site Certificate, and (b) the Stated Amount as of the date hereof. The date of the sight draft is the date of this Certificate, which is not later than the Expiration Date.

5. Funds paid pursuant to the provisions of the Letter of Credit shall be wire transferred to the Beneficiary in accordance with the following instructions:

[_____]

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate as of the [_____] day of [_____].

STATE OF OREGON, acting by and through the Energy Facility Siting Council, as Beneficiary

By:

Title:

Exhibit B

[EFSCLLETTERHEAD]

DRAWCERTIFICATE

[DATE]

MUFG BANK, LTD., NEW YORK BRANCH
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020
ATTN: TRADE SERVICE OPERATIONS/STANDBY LC SECTION

Drawn under Irrevocable Standby Letter of Credit Number S527398N dated September 16, 2020

Ladies and Gentlemen:

Any capitalized term used herein shall have the meaning defined for that term by the Letter of Credit.

The undersigned, the duly elected and acting of the Beneficiary, hereby certifies as follows:

1. MUFG BANK, LTD., NEW YORK BRANCH has heretofore provided written notice to the Beneficiary of the MUFG BANK LTD., NEW YORK BRANCH's intent not to renew the Letter of Credit following the present Expiration Date thereof.
2. PERENNIAL-WINDCHASER LLC is required to deliver to the Beneficiary and keep in effect, a bond or letter of credit that satisfies the requirements of Condition [] of the Site Certificate for the WIND CHASER 200-400MW GAS-FIRED POWER PROJECT, as amended from time to time (the "Site Certificate").
3. Neither PERENNIAL-WINDCHASER LLC nor any person acting on its behalf has, at least thirty (30) days prior to the present Expiration Date of the Letter of Credit, delivered to Beneficiary a bond or letter of credit that satisfies the requirements of Condition [] of the Site Certificate.
4. As a result of said breach of the Site Certificate, the Beneficiary is entitled pursuant to the provisions of the Site Certificate to make demand under the Letter of Credit in the amount of US\$[].
5. The undersigned has concurrently presented to you its sight draft drawn in the amount specified in Paragraph 4 above, which amount does not exceed the lesser of (a) the amount the Beneficiary is entitled to draw pursuant to the provisions of the Site Certificate, and (b) the Stated Amount as of the date hereof. The date of the sight draft is the date of this Certificate, which is not later than the Expiration Date.
6. Funds paid pursuant to the provisions of the Letter of Credit shall be wire transferred to the Beneficiary in accordance with the following instructions:

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate as of the [] day of [].

STATE OF OREGON, acting by and through the Energy Facility Siting Council, as Beneficiary

By:
Title:

Exhibit C

[EFSC LETTERHEAD]

DRAW CERTIFICATE

[DATE]

MUFG BANK, LTD., NEW YORK BRANCH
1251 AVENUE OF THE AMERICAS
NEW YORK NY 10020
ATTENTION: TRADE SERVICE OPERATIONS/STANDBY LETTER OF CREDIT SECTION

Drawn under Irrevocable Standby Letter of Credit Number S527398N dated September 16, 2020

Ladies and Gentlemen:

Any capitalized term used herein shall have the meaning defined for that term by the Letter of Credit. The undersigned, the duly elected and acting of the Beneficiary, hereby certifies as follows:

1. PERENNIAL-WINDCHASER LLC has begun construction of the project described in the Site Certificate for the WIND CHASER 200-400MW GAS-FIRED POWER PROJECT, as amended from time to time (the "Site Certificate") but has not completed construction by the deadline specified in Condition [] of the Site Certificate.
2. Neither PERENNIAL-WINDCHASER LLC nor any successor has requested an amendment of the Site Certificate extending the construction completion deadline in compliance with applicable rules.
3. As a result of said breach of the Site Certificate, the Beneficiary is entitled pursuant to the provisions of the Site Certificate to make demand under the Letter of Credit in the amount of US\$[].
4. The undersigned has concurrently presented to you its sight draft drawn in the amount specified in Paragraph 4 above, which amount does not exceed the lesser of (a) the amount the Beneficiary is entitled to draw pursuant to the provisions of the Site Certificate, and (b) the Stated Amount as of the date hereof. The date of the sight draft is the date of this Certificate, which is not later than the Expiration Date.
5. Funds paid pursuant to the provisions of the Letter of Credit shall be wire transferred to the Beneficiary in accordance with the following instructions:

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate as of the [] day of [].

STATE OF OREGON, acting by and through the Energy Facility Siting Council, as Beneficiary By:

Title:

Ex.

ORIGIN ID: AYA (212) 413-9834
 ALISON WONG
 210 HUDSON STREET, SUITE 500
 JERSEY CITY, NJ 07311
 UNITED STATES US

SHIP DATE: 16SEP20
 ACT WT: 1.00 LB
 CAD: 106148049/NET14280

BILL SENDER

TO OREGON DEPARTMENT OF ENERGY
 STATE OF OREGON
 C/O ENERGY SITING DIVISION ADMINIST
 550 CAPITOL ST NE 1ST FLOOR
 SALEM OR 97301


REF: SR27398N
 DEPT:


PO: (201) 413-9834

TRK# 7715 4469 0889
 0201

THU - 17 SEP 3:00P
 STANDARD OVERNIGHT

XH SLEA
 OR-US PDX 97301





J202828071401uv

56BJ61545B766

After printing this label:

1. Use the "Print" button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number. Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

OUR COMPANY

- About FedEx
- Our Portfolio
- Investor Relations
- Careers
- FedEx Blog
- Corporate Responsibility
- Newsroom
- Contact Us

MORE FROM FEDEX