



Oregon

John A. Kitzhaber, M.D., Governor



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Date: January 25, 2013

To: Energy Facility Siting Council

From: Lee Willeman, Policy Advisor
Todd Cornett, Siting Division Administrator

RE: EFSC Amendment Process Potential Rulemaking Updates (Information Item)

Background:

In the past few years, the Council has heard concerns from the public and energy facility developers related to Oregon's amendment process for site certificates. Some of those concerns include an increase in the number of amendment requests to extend construction deadlines, a need for criteria when an amendment is required, and a need for more specificity on how the public is involved in the amendment process. At the Council's November 2, 2012 meeting, the Council requested that ODOE staff begin considering potential changes to the site certificate amendment process.

Current Status: ODOE staff efforts are primarily focused on two key areas:

(1) Amendment Matrix:

- Identify types of amendment requests
- Identify a range of questions or issues to address
- Develop preliminary ideas for a range of possible solutions

(2) Workshops:

ODOE has scheduled two public workshops in early February to begin considering potential changes to the site certificate amendment process for large energy facilities under EFSC jurisdiction. Each workshop will begin by focusing on issues, then transition to the discussion of potential changes. The findings of these workshops could lead to process improvements, administrative rule changes and/or statutory changes. EFSC will consider these findings at a future meeting.

WORKSHOP 1 Wednesday, Feb. 6 11 a.m. to 3 p.m. Port of Morrow, Riverfront Room 2 Marine Dr. Boardman, OR 97818	WORKSHOP 2 Tuesday, Feb. 19 9 a.m. to noon Oregon State Library, Room 103 250 Winter St. NE Salem, OR 97301-3950
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Next Steps:

1. Complete staff analysis.
2. Host two workshops in February 2013.
3. Report workshop results and provide staff recommendations for the Council's direction at an early 2013 EFSC meeting, which could include a request to initiate permanent rulemaking as provided under ORS 183.335.