BEFORE THE
ENERGY FACILITY SITING COUNCIL
OF THE STATE OF OREGON

In the Matter of the Request for Transfer of the Summit Ridge Wind Farm Site Certificate

FINAL ORDER ON
REQUEST FOR TRANSFER (Amendment 3)

Issued by

Oregon Department of Energy
550 Capitol Street NE
Salem, Oregon 97301-3742

December 15, 2017
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ATTACHMENTS
Attachment A: Third Amended Site Certificate
I. INTRODUCTION

The Energy Facility Siting Council (Council) issues this order in accordance with Oregon Revised Statute (ORS) 469.405 and Oregon Administrative Rule (OAR) 345-027-0100 for the Request for Transfer of the Summit Ridge Wind Farm Site Certificate. The transfer request includes a change in certificate holder ownership, but does not change the certificate holder, Summit Ridge Wind, LLC. A change in certificate holder ownership requires a site certificate transfer pursuant to OAR 345-027-0100(1)(a). Therefore, this order addresses a change in the ownership of the certificate holder, from the current parent company, Summit Ridge Wind Holdings, LLC to Pattern Renewables 2 LP (Pattern Development), a new parent company and subsidiary of Pattern Energy Group 2 LP (Pattern Energy or PEG2LP), the sole limited partner of Pattern Development.

Pursuant to OAR 345-027-0100(1), “a transfer of ownership requires a transfer of the site certificate when the person who will have the legal right to possession and control of the site or the facility does not have authority under the site certificate to construct, operate or retire the facility.” A “transferee” refers to the person who will become the new site certificate holder.

As described above, the transfer request does not change the certificate holder, Summit Ridge Wind, LLC; however, ownership of the certificate holder is changing and the organizational expertise and financial assurance of the certificate holder owner was relied upon in previous Council orders. Therefore, for this analysis, “transferee” refers to both the certificate holder and the new owner or parent company of the certificate holder; and, the organizational expertise and financial assurance of the new parent company, Pattern Development, is evaluated for compliance with the applicable Council standards.1

I.A. Name and Address of Current Certificate Holder

Summit Ridge Wind, LLC
Steven A. Ostrowski, Jr., Manager
9611 NE 117th Ave, Suite 2840
Vancouver, WA 98662

Certificate Holder Contact:
Steven A. Ostrowski, Jr., Manager

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1 In the transfer request, the transferee predominately relies upon the organizational expertise of its larger family of companies, Pattern Energy Group LP (PEGLP), to support the evaluation of compliance with the Council’s Organizational Expertise standard. As presented in Section III.A, Organizational Expertise, of this order, the Council acknowledges the organizational expertise of PEGLP as representative of Pattern Development and PEG2LP’s access to technical resources in the construction, operation and management of wind facilities. However, the Council relies upon the organizational expertise of the new parent company and its sole limited partner (Pattern Development and PEG2LP, respectively) to evaluate compliance with the standard.
Current Parent Company of the Certificate Holder

Summit Ridge Wind Holdings, LLC
9611 NE 117th Ave, Suite 2840
Vancouver, WA 98662

I.B. Name and Address of Transferee

Summit Ridge Wind, LLC
c/o Pattern Renewables 2 LP
Pier 1, Bay 3
San Francisco, CA 94111

Transferee Contact:
Kevin Wetzel, Manager Project Development

Parent Company

Pattern Renewables 2 LP
a subsidiary of Pattern Energy Group 2 LP
Pier 1, Bay 3
San Francisco, CA 94111

I.C. Description of the Approved Facility

The Summit Ridge Wind Farm (facility) is an approved but not yet constructed wind energy generation facility to be located in Wasco County, with a peak generating capacity of up to 194.4 megawatts (MW) of electricity. The facility would consist of up to 72 wind turbines as well as related and supporting facilities including: a power collection system, a collector substation, a 230-kilovolt (kV) transmission line, a Supervisory Control and Data Acquisition system, an Operation and Maintenance building, meteorological towers, access roads, temporary roadway modifications, and additional temporary construction areas.

The Council issued the site certificate for the Summit Ridge Wind Farm on August 19, 2011, and has previously approved amendments to the site certificate in August 2015 and November 2016.
I.D. Description of Approved Facility Site Location

The facility site boundary includes approximately 11,000 acres of private land, within Wasco County approximately 17 miles southeast of The Dalles and eight miles east of Dufur. The facility has not yet been constructed.

II. THE TRANSFER PROCESS

II.A. Description of the Transfer Request

In the Request for Transfer, the transferee requests a site certificate transfer to reflect the change in ownership of the certificate holder from Summit Ridge Wind Holdings, LLC to Pattern Development. The transfer request also explains that through the change in ownership of the certificate holder, ownership of all membership interests in Summit Ridge Wind Holdings, LLC were sold to Pattern Development, a subsidiary of PEG2LP on September 11, 2017. Neither the certificate holder nor the transferee requested approval for any other facility modifications or changes to the terms and conditions of the site certificate.

II.B. Procedural History

On September 11, 2017, the certificate holder provided notice, pursuant to OAR 345-027-0100(2), to the Department of a transfer of ownership of the certificate holder. On October 23, 2017, the certificate holder and transferee filed its Request for Transfer of the Summit Ridge Wind Farm Site Certificate.

On November 8, 2017, the Department issued notice of the transfer request to all persons on the Council’s general mailing list, to the special list established for the facility, to an updated list of property owners supplied by the certificate holder, and to a list of reviewing agencies as defined in OAR 345-001-0010(52). The notice included a request for public comments and established a comment deadline of December 15, 2017 (close of the Informational Hearing). The notice also included the date and time of the Informational Hearing, as required for site certificate transfers pursuant to OAR 345-027-0100(7), to be conducted during the December 15, 2017 Council meeting in Boardman, Oregon. The Department also provided notice of the Informational Hearing in its December 14-15, 2017 Council agenda issued on November 30, 2017. In addition to issuing the notice, the Department posted the public notice, date and time of the Informational Hearing, and transfer request materials on the agency website.

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2 Amended Final Order on Amendment #1 at 1, August 7, 2015
3 Mandatory Condition 15 (Site Certificate Condition 2.10) requires that the certificate holder, prior to any transfer of ownership of the facility or ownership of the certificate holder, inform the Department of the proposed new owners.
4 SRWAMD3Doc2 Revised Property Owner Information 2017-10-31.
5 SRWAMD3Doc3 Public Notice 2017-11-08.
During its December 15, 2017 Council meeting in Boardman, Oregon the Council conducted an Informational Hearing on the Request for Transfer for the Summit Ridge Wind Farm Site Certificate. At the same meeting, the Council received a staff presentation on the draft Final Order on the Request for Transfer and approved/denied the Final Order on the Request for Transfer and issued an amended site certificate.

II.C. Comments on Request for Transfer

During the comment period on the transfer request, which extended from November 8 through the close of the Informational Hearing on December 15th, 2017, the Department received XX comments.

[PLACEHOLDER FOR COMMENT SUMMARY]

To the extent the comments on the transfer request relate to compliance with an applicable Council standard, the comments are evaluated in the findings related to those Council standards as presented in Section III of this order.

III. EVALUATION OF TRANSFER REQUEST AND APPLICABLE COUNCIL STANDARDS

Revisions to OAR 345 Division 27 became effective on October 24, 2017. Because the Request for Transfer was received on October 23, 2017, the applicable procedural requirements for a transfer request are based on OAR 345 Division 27 in effect prior to October 24, 2017.

Under OAR 345-027-0100(8), the Council may approve a transfer of the site certificate if the Council finds that:

a) The transferee complies with the standards described in OAR 345-022-0010 (Organizational Expertise standard), 345-022-0050 (Retirement and Financial Assurance standard) and if applicable, 345-024-0710(1) (related to compliance with the Carbon Dioxide standard); and

b) The transferee is or will be lawfully entitled to possession or control of the site of the facility described in the site certificate.

The Council’s findings related to compliance with OAR 345-027-0100(8)(a) are contained below in Section III.A, Evaluation of Transfer Request and Applicable Council Standards. OAR 345-024-0710(1) applies to facilities that generate carbon dioxide emissions and therefore does not apply to the Summit Ridge Wind Farm as wind energy generation facilities are not direct sources of carbon dioxide emissions.
Possession and Control of the Site Certificate [OAR 345-027-0100(8)(b)]

To approve the transfer of the site certificate, the Council must find that the transferee is lawfully entitled to possession or control of the site or the facility described in the site certificate.

Annex M-1 of the transfer request is an updated legal opinion letter dated October 19, 2017, illustrating the legal opinion that “subject to the Certificate Holder’s meeting all the requirements of any applicable federal, state and local laws (including all the rules and regulations promulgated thereunder), the Certificate Holder has the legal authority to construct and operate the Summit Ridge Wind Farm project without violating the Documents.” Based on these representations, the Council finds that the transferee is lawfully entitled to possession or control of the Summit Ridge Wind Farm site and approved facility as described in the site certificate.

Compliance with the Site Certificate [OAR 345-027-0100(9)]

To approve the transfer of the site certificate, the Council must find that the transferee, including the certificate holder and new parent company of the certificate holder, agrees to abide by all the terms and conditions of the site certificate to be transferred.

The transferee, in the Request for Transfer, certified that it agrees to abide by all the terms and conditions of the site certificate currently in effect and all terms and conditions that will result from this [transfer] request. Based on this statement, the Council finds that the transferee agrees to abide by all the terms and conditions of the Summit Ridge Wind Farm Site Certificate.

III.A. Organizational Expertise [OAR 345-022-0010]

(1) To issue a site certificate, the Council must find that the applicant has the organizational expertise to construct, operate and retire the proposed facility in compliance with Council standards and conditions of the site certificate. To conclude that the applicant has this expertise, the Council must find that the applicant has demonstrated the ability to design, construct and operate the proposed facility in compliance with site certificate conditions and in a manner that protects public health and safety and has demonstrated the ability to restore the site to a useful, non-hazardous condition. The Council may consider the applicant’s experience, the applicant’s access to technical expertise and the applicant’s past performance in constructing, operating and retiring other facilities, including, but not limited to, the number and severity of regulatory citations issued to the applicant.

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6 SRWAMD3Doc2. Request to Transfer, Annex M-1.2017-10-23
7 SRWAMD3Doc2. Request to Transfer, Attachment 2.2017-10-23
(2) The Council may base its findings under section (1) on a rebuttable presumption that
an applicant has organizational, managerial and technical expertise, if the applicant
has an ISO 9000 or ISO 14000 certified program and proposes to design, construct
and operate the facility according to that program.

(3) If the applicant does not itself obtain a state or local government permit or approval
for which the Council would ordinarily determine compliance but instead relies on a
permit or approval issued to a third party, the Council, to issue a site certificate, must
find that the third party has, or has a reasonable likelihood of obtaining, the
necessary permit or approval, and that the applicant has, or has a reasonable
likelihood of entering into, a contractual or other arrangement with the third party
for access to the resource or service secured by that permit or approval.

(4) If the applicant relies on a permit or approval issued to a third party and the third
party does not have the necessary permit or approval at the time the Council issues
the site certificate, the Council may issue the site certificate subject to the condition
that the certificate holder shall not commence construction or operation as
appropriate until the third party has obtained the necessary permit or approval and
the applicant has a contract or other arrangement for access to the resource or
service secured by that permit or approval.

Findings of Fact

Subsections (1) and (2) of the Council’s Organizational Expertise standard require that the
transferee demonstrate its ability to design, construct and operate the facility in compliance
with Council standards and all site certificate conditions, as well as its ability to restore the site
to a useful, non-hazardous condition. The Council may consider the transferee’s experience and
past performance in constructing, operating and retiring other facilities in determining
compliance with the Council’s Organizational Expertise standard. Subsections (3) and (4)
address certified programs and third party permits.

To evaluate whether the transferee satisfies the Council’s Organizational Expertise standard,
the Council may consider the transferee’s experience and past performance in constructing,
operating, and retiring other facilities. The transferee does not propose to design, construct, or
operate the facility in accordance with an International Organization for Standardization (ISO)
9000 or ISO 14000 certified program. Further, the transferee has not proposed to rely on any
third-party permit approvals for state, local, or federal permits required for construction or
operation of the facility. Therefore, the Council finds that the requirements of OAR 345-022-
010(2) through (4) would not be applicable to the transfer request or the facility.
Construction, Operation and Retirement of the Facility

Summit Ridge Wind, LLC is a project-specific LLC and therefore, in the transfer request, the transferee relies upon the organizational expertise of its family of companies, Pattern Energy Group (PEGLP). The Council acknowledges the represented experience of PEGLP which includes the development, ownership and operation of over 4,500 MW of renewable energy worldwide and construction management of 19 wind and solar projects, completed within the allotted budget and schedule. The Council also acknowledges that the experience of the transferee's family of companies, PEGLP, generally represents access to technical expertise in construction, operation and retirement of a wind facility.

The Council, however, evaluates and relies upon the organizational expertise of the certificate holder's new parent company and its sole limited partner, Pattern Development and PEG2LP, respectively. In the transfer request, the transferee provided qualifications of Pattern Development personnel who would be responsible for construction and operation of the facility and explains that the identified construction, engineering, and operations personnel leads have many years of experience in constructing and operating energy facilities including wind and transmission projects.8 The Council previously imposed Condition 6.1 in the site certificate requiring the certificate holder to have a full-time, on-site construction manager to ensure site certificate compliance. Because the identified personnel could change prior to facility construction and operation, and because the transfer request provides limited information regarding the direct organizational expertise of the new parent company and its sole limited partner, the Council amends Condition 6.1 to require that the certificate holder submit qualifications of construction, operation and retirement personnel verifying that the qualifications represent experience in environmental and regulatory compliance, as follows:9

Amended Site Certificate Condition 6.1:

The certificate holder shall:

(a) Prior to construction, notify the Department of the identity, telephone number, e-mail address and qualifications of the full-time, on-site construction manager. Qualifications shall demonstrate that the construction manager has experience in managing permit and regulatory compliance requirements and is qualified to manage a wind facility construction project.

(b) Prior to operation, notify the Department of the identity, telephone number, e-mail address and qualifications of the full-time, on-site operations manager. Qualifications shall demonstrate that the operations manager has experience in

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8 SEWAMD3Doc2. Attachment 2, p. 17. 2017-10-13
9 In the Second Amended Site Certificate, Condition 6.1 stated, “During construction, the certificate holder shall have a full-time, on-site assistant construction manager who is qualified in environmental compliance to ensure compliance with all site certificate conditions. The certificate holder shall notify the Department of the name, telephone number, and e-mail address of this person prior to the start of construction and immediately upon any change in the contact information. [Final Order IV.8.2.3]"
managing permit and regulatory compliance requirements and is qualified to manage operation of a wind facility.

(c) Prior to facility retirement, notify the Department of the identity, telephone number, e-mail address and qualifications of the personnel or entity responsible for facility decommissioning and restoration activities. Qualifications shall demonstrate that the identified personnel have experience in managing permit and regulatory compliance requirements and are qualified to decommission a wind facility.

The certificate holder shall notify the Department within 72-hours upon any change in personnel or contact information provided to satisfy Condition 6.1(a) through (c).

[Final Order on Amendment 3]

In the transfer request, the transferee explains that contractors, engineers and manufacturers have not yet been selected for construction of the facility. However, existing Condition 5.1 of the site certificate, which would continue to apply in the third amended site certificate, requires that prior to construction, the certificate holder must identify all construction contractors and requires them to have demonstrated experience in the design, engineering, and construction of similar facilities. The transferee states that the management, development, construction, finance, and operational teams for both PEGLP and PEG2LP are comprised of mostly the same individuals and share resources under binding long-term management services arrangements. Compliance with Condition 5.1 would provide verification to the Department, and the Council, that major contractors are qualified to design, engineer and construct the facility and all contractors and subcontractors operate in compliance with the site certificate.

Due to the certificate holder’s previous reliance on the organizational expertise of its parent company to satisfy the requirements of OAR 345-022-0010(1), Council previously imposed Condition 6.31 in the site certificate, requiring the certificate holder to notify the Department within 7 days of any change in the corporate structure of its parent company and of any changes in access to the resources of its parent company. Due to the transferee’s reliance on the organizational expertise of its parent company and of its family of companies, the Council finds that this condition would continue to apply to the transferee and amends Condition 6.31 to reflect the change in certificate holder ownership as follows:11,12

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10 SRWAMD3Doc4-2 2017-11-30
11 On September 11, 2017, Summit Ridge Wind Holdings, LLC, the parent company of the certificate holder promptly notified the Department of the sale of the certificate holder, resulting in a change in certificate holder ownership. This notification satisfied the requirements of existing condition 6.31. The certificate holder notified the Department of the intent to transfer the site certificate and the subsequent change in ownership on the same day that the sale of the certificate holder closed, September 11, 2017.
12 In the Second Amended Site Certificate, Condition 6.31 stated, "During facility construction and operation, the certificate holder shall report to the Department, within 7 days, any change in the corporate structure of the parent company, Summit Ridge Wind Holdings, LLC. The certificate holder shall report promptly to the Department
Amended Site Certificate Condition 6.31: During facility construction and operation, the certificate holder shall report to the Department, within 7 days, any change in the corporate structure of Pattern Renewables 2 LP, Pattern Energy Group 2 LP (the sole limited partner), and Pattern Energy Group LP. The certificate holder shall report promptly to the Department any change in its access to the resources, expertise, and personnel of Pattern Renewables 2 LP, Pattern Energy Group 2 LP (the sole limited partner), and Pattern Energy Group LP. [Final Order on Amendment 3]

In the transfer request, the transferee asserts that both Pattern Development and Summit Ridge Wind, LLC have not received any regulatory citations or complaints resulting in enforcement action. PEG2LP, the sole limited partner of Pattern Development, has received no regulatory citations during preconstruction, construction, or operation at any of their wind facilities in the United States, over the past ten years.13

To ensure that the design, construction and operation of the facility is conducted in a manner that protects public health and safety in accordance with the Organizational Expertise standard, Council previously imposed the following conditions in the site certificate: 5.4, 5.8, 6.8, 6.10, 6.11, 6.13, 6.14, 7.1 through 7.7, and 8.1 through 8.9, which would continue to apply to the transferee in the third amended site certificate. The transferee’s ability to restore the facility site to a useful, non-hazardous condition is evaluated in Section III.B, Retirement and Financial Assurance of this order, in which the Council finds the transferee would comply with the Retirement and Financial Assurance standard.

If mitigation is relied upon to satisfy the requirements of the Council’s Fish and Wildlife Habitat standard, the experience of a certificate holder or applicant in implementing and managing such mitigation projects is evaluated under the Council’s Organizational Expertise standard. For this transfer request, resulting from potential habitat impacts identified for the previously approved facility, the transferee relies upon mitigation to satisfy the Council’s Fish and Wildlife Habitat standard (see Site Certificate Condition 10.4). The transferee describes that its parent company has extensive experience with compensatory mitigation including experience with voluntary species conservation banks, multi-resource restoration and mitigation projects, and wetland mitigation. The transferee describes that the current conservation mitigation project associated with the approved facility would be managed by a qualified, experienced individual and includes a 70 acre parcel of land, located near the facility.

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any change in its access to the resources, expertise, and personnel of Summit Ridge Wind Holdings, LLC.
[Final Order on Amendment 2]"

13 The transferee’s preliminary examination confirmed that no citations have been received by both PEGLP and PEG2LP at their wind facilities in the U.S. Included in their response, the transferee states that “due to time constraints and the size of PEGLP and PEG2LP’s respective nationwide fleets, this review is preliminary and [Pattern Energy] will notify ODOE if [their] research identifies any citations that may have occurred at any of [their] wind facilities in the US during this period.” SRWAMD3Doc4-2 2017-11-30
The transferee certified that it agrees to abide by all the terms and conditions of the Second Amended Site Certificate currently in effect and all terms and conditions imposed by the Council as part of this amendment. As a result, the transferee would be subject to the same conditions that the Council used to ensure that the certificate holder had the ability to design, construct, and operate a facility in compliance with Council standards and all site certificate conditions, as well as to restore the site to a useful, non-hazardous condition.

Based on the above analysis, and because the transferee is subject to the same conditions and has certified that it would abide by all requirements of the site certificate, the Council finds that the certificate holder and new owner of the certificate holder (transferee) complies with the Council’s Organizational Expertise standard.

Conclusions of Law

Based on the foregoing findings of fact, and based upon compliance with the existing and amended site certificate conditions, the Council finds that the transfer of ownership of the site certificate holder from Summit Ridge Wind Holdings, LLC to Pattern Development would continue to comply with the Council’s Organizational Expertise standard.

III.B. Retirement and Financial Assurance [OAR 345-022-0050]

To issue a site certificate, the Council must find that:

(1) The site, taking into account mitigation, can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility.

(2) The applicant has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition.

Findings of Fact

The Retirement and Financial Assurance standard requires a finding that the facility site can be restored to a useful, non-hazardous condition at the end of the facility’s useful life, should either the certificate holder stop construction or should the facility cease to operate. In addition, it requires a demonstration that the applicant (certificate holder or transferee) can obtain a bond or letter of credit to restore the site to a useful, non-hazardous condition.

14 OAR 345-022-0050(1).
Restoration of the Site Following Cessation of Construction or Operation

OAR 345-022-0050(1) requires the Council to find that the facility site can be restored to a useful non-hazardous condition at the end of the facility’s useful life.

Restoring the site to a useful, non-hazardous condition upon cessation of construction or operations (or upon retirement) would involve the dismantlement and removal of all wind turbine generators, and the O&M facility and substation. The 34 kV collector power lines and the 230 kV transmission line and support structures would also be removed, to the point where the ends of the collector lines are 3 feet below grade. Any access road that did not exist prior to the facility’s construction would be removed. All areas initially disturbed by the instillation of the facility (and any areas disturbed during its restoration) would be backfilled with native soil, returned to their natural grades, and reseeded with native vegetation.\(^{15}\)

The Council previously imposed several mandatory site certificate conditions relating to the obligation of the certificate holder to prevent the development of conditions on the site that would preclude restoration of the site and requiring the certificate holder to obtain Council approval of a retirement plan in the event that the facility ceases construction or operation. These conditions (Conditions 14.3, 14.4, and 14.5) would continue to apply to the transferee.

The transferee is required to comply with the requirements of these site certificate conditions. Based upon compliance with the existing site certificate conditions, and because the Request for Transfer would not result in any changes to the facility or tasks or actions necessary for facility decommissioning, the Council finds that the previous evaluation of tasks and actions necessary for facility decommissioning continues to be adequate and representative of restoring the site to a useful, non-hazardous condition at the end of the facility’s useful life.

Estimated Cost of Site Restoration

OAR 345-022-0050(2) requires the Council to find that the applicant (certificate holder or transferee) has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount necessary to restore the proposed facility site to a useful non-hazardous condition. A bond or letter of credit provides a site restoration remedy to protect the state of Oregon and its citizens if the certificate holder fails to perform its obligation to restore the site. The bond or letter of credit must remain in force until the certificate holder has fully restored the site, as required by existing Retirement and Financial Assurance Condition 14.1.

In the Final Order on the Application, the Council found that the certificate holder had a reasonable likelihood of obtaining a bond or letter of credit, in a form and amount satisfactory to the Council, to restore the site to a useful non-hazardous condition.\(^{16}\) The Departments’

\(^{15}\) ASC, Exhibit W, p. 1.
\(^{16}\) Final Order on the Application at 88
estimate of $6.695 million (calculated in Q3 2010 dollars) was found by Council in the Final Order on the ASC (2011), to be a reasonable estimate to restore the facility site.

Based upon compliance with the existing site certificate conditions, and because the Request for Transfer would not result in any changes to the facility or tasks or actions necessary for facility decommissioning, the Council finds that the decommissioning cost estimate continues to represent a reasonable estimate of an amount satisfactory to restore the site to a useful, non-hazardous condition.

*Ability of the Transferee to Obtain a Bond or Letter of Credit*

The transferee relies upon the financial assurance and capability of Pattern Energy to demonstrate compliance with the Council's Retirement and Financial Assurance standard, as presented in Exhibit M of the Request for Transfer. In the transfer request, the transferee submitted a letter dated October 20, 2017, from MUFG Union Bank, N.A. (bank), which stated that the bank "has an ongoing relationship with Pattern [Energy Group 2 LP], and, subject to the below, there is a reasonable likelihood that we [MUFG] would provide the Project Letter of Credit should it be requested from us." The bank letter also indicates that their "understanding that the potential liability of the Project Letter of Credit could total an amount of up to ten million dollars ($10,000,000.00)."[17]

The Council previously imposed condition 14.5, requiring the certificate holder to provide a bond or letter of credit in the amount deemed satisfactory by Council to restore the site to a useful, non-hazardous condition. This condition would continue to apply to the transferee.

Subject to the transferee's compliance with these conditions, and based upon the adequacy of the bank letter, the Council finds that the transferee has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition.

*Conclusions of Law*

Based on the foregoing findings of fact, and subject to the existing site certificate conditions, the Council finds that the transferee, including the certificate holder and new owner of the certificate holder, will continue to comply with the Council's Retirement and Financial Assurance standard.

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III.C. Administrative Condition Amendments

Existing Site Certificate Conditions 2.9, 2.10, 2.13, 4.1-4.5, 5.5, 5.7, 6.6, 6.11-6.14, 9.6, 13.3, 14.1, and 14.3-14.6 are mandatory conditions imposed consistent with OAR 345-027-0020. The changes in OAR 345 Division 27, effective October 24, 2017, resulted in a change in rule reference. The conditions referencing any outdated rule numbers have been administratively revised to reflect the current rule references, as presented in Attachment A (Third Amended Site Certificate) to this order. No substantive changes were made to the language of these conditions.

IV. GENERAL CONCLUSIONS

The Council finds that the request to transfer the ownership of the certificate holder from its parent company, Summit Ridge Wind Holdings, LLC, to a new parent company, Pattern Renewables 2 LP, is consistent with current Council rules and the terms and conditions of the site certificate.
V. FINAL ORDER

Based on the above findings of fact, reasoning, existing conditions and conclusions of law in this final order, the Council approves the Request for Transfer of the Site Certificate for the Summit Ridge Wind Farm, transferring ownership of the certificate holder (Summit Ridge Wind, LLC) from Summit Ridge Wind Holdings, LLC to Pattern Renewables 2 LP. The Council Chair executes the Site Certificate amendment in the form of the “Third Amended Site Certificate for the Summit Ridge Wind Farm.”

Issued this 15th day of December, 2017

The OREGON ENERGY FACILITY SITING COUNCIL

By: _____________________________________________
   Barry Beyeler, Chair
   Oregon Energy Facility Siting Council

ATTACHMENTS

Attachment A: Third Amended Site Certificate
Attachment A: Proposed Third Amended Site Certificate