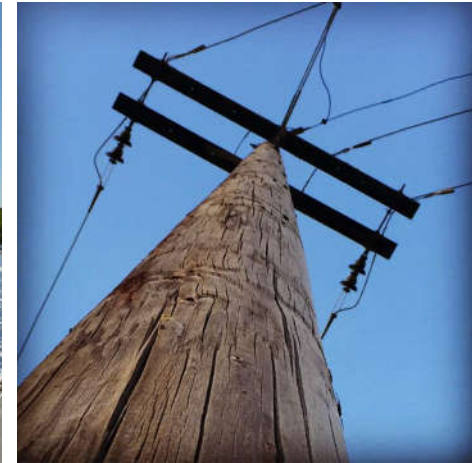


Oregon Department of **ENERGY**

Energy Facility Siting
Council Meeting

Special EFSC Meeting

July 20, 2020



Opening Items:

- Call to Order
- Roll Call
- Announcements



Announcements:

- For those attending in person:
 - Please wear a mask or face covering.
 - Please maintain a distance of 6 feet from others. This venue has been appropriately set up to maintain this social distancing.
 - Hand sanitizer is provided on the tables.
 - During the public hearing staff will ask for a show of hand of those who want to comment and will call on you one at a time.
 - Please silence your phone.
- Please state your name before you speak
- Please do not use the speaker phone feature, as it will create feedback



Announcements continued:

- Please mute your phone and if you receive a phone call, please hang up from this call and dial back in after finishing your other call.
- For those signed onto the webinar, please sign in using your first and last name. Public participants will be in listen-only mode.
- The Department will indicate the order in which public comments are provided for a hearing on a draft proposed order. Individuals may provide comments in-person, via the webinar, or via the phone-in option.
- Please use the “Raise Your Hand” feature in WEBEX to speak during the non-hearing public comment period.



Announcements continued:

- You may sign up online to receive future email notifications for Council meetings, project milestones and rulemakings through our ClickDimensions program by clicking on the link in the agenda or on the Council webpage. Look for the green box on the right-hand side of the page that says “sign up for emails updates.”
- You are also welcomed to access the online mapping tool and any documents by visiting the Department website.
- Energy Facility Council meetings shall be conducted in a respectful and courteous manner where everyone is allowed to state their positions at the appropriate times consistent with Council rules and procedures. Willful accusatory, offensive, insulting, threatening, insolent, or slanderous comments which disrupt the Council meeting are not acceptable. Pursuant to Oregon Administrative Rule 345-011-0080, any person who engages in unacceptable conduct which disrupts the meeting may be expelled.



Agenda Item A (Public Hearing)

Obsidian Solar Center

July 20, 2020

**Informational Presentation - Kellen Tardaewether, Senior Siting Analyst,
Oregon Department of Energy**

**Presiding Officer - Joe Allen, Senior Administrative Law Judge,
Office of Administrative Hearings
EFSC Appointed Hearing Officer**



Obsidian Solar Center Draft Proposed Order

July 20, 2020

Informational Presentation - Kellen Tardaewether, Senior Siting Analyst,
Oregon Department of Energy



Energy Facility Siting Council (EFSC) Review



- Consolidated review and oversight of most large-scale energy facilities and infrastructure in Oregon

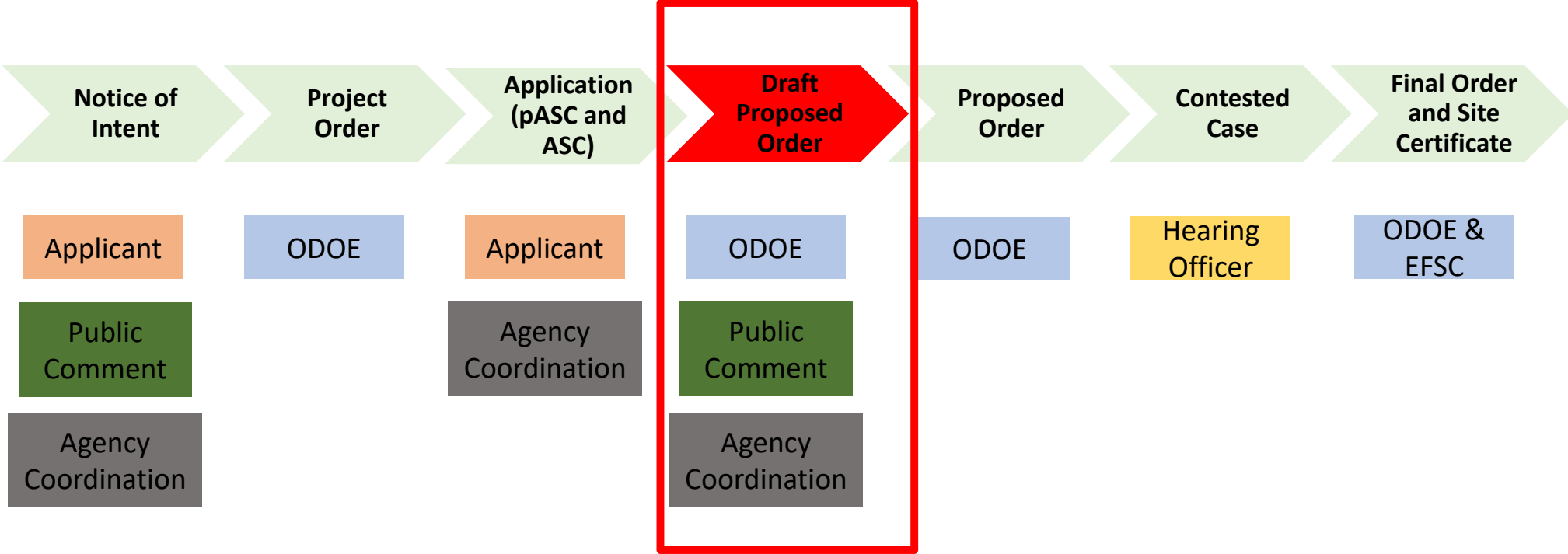


- 7 Members of EFSC
 - Governor appointed, Senate confirmed – Volunteers from around the State



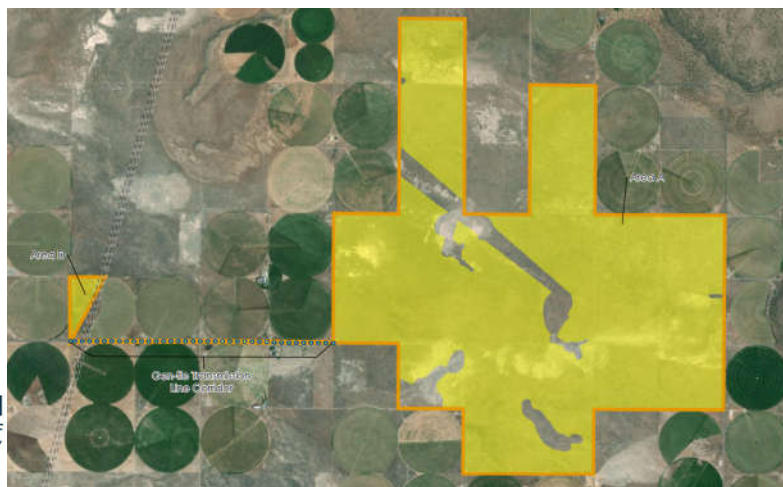
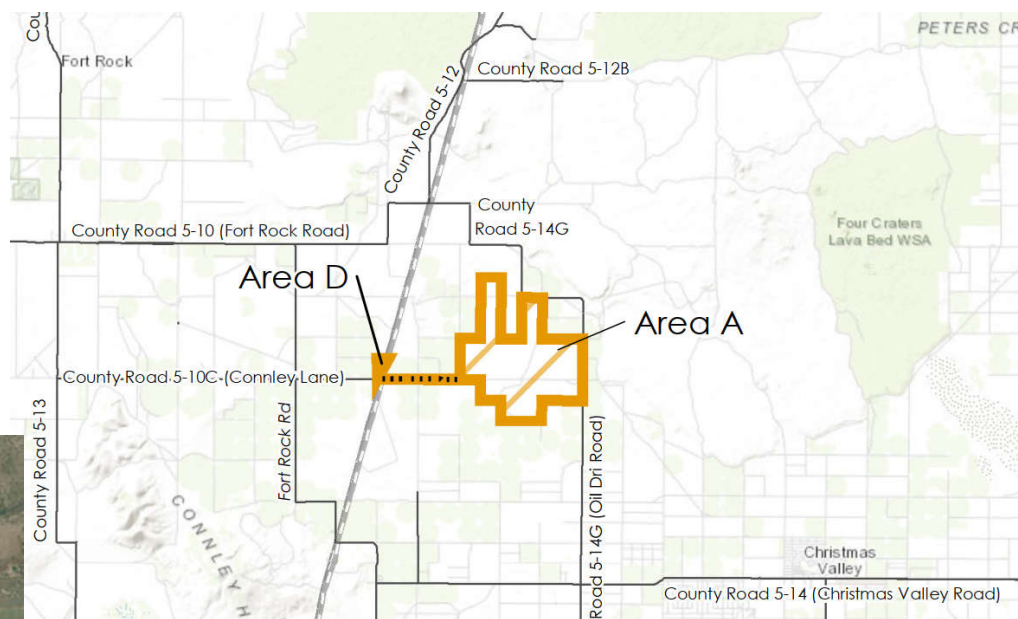
- ODOE's Siting Division is staff to EFSC

Energy Facility Siting Process



Obsidian Solar Center: Project Overview

- Applicant: Obsidian Renewables, LLC.
- Proposed Facility: 400 MW Solar PV Facility. 3,921 Acre Site Boundary.
 - Related or supporting facilities include dispersed or centralized battery storage systems and two mile 115-kV gen-tie transmission line, etc.



Obsidian Solar Center: Procedural History

Milestone	Responsible Party	Date
Notice of Intent (NOI)	Applicant	January 16, 2018
Preliminary Application for Site Certificate (pASC)	Applicant	September 25, 2018
Application for Site Certificate (ASC)	Applicant	October 30, 2019
Draft Proposed Order (DPO)	ODOE	March 12, 2020
Public Hearing on the DPO	ODOE/EFSC	July 20, 2020 (Today)
EFSC Review of DPO and Comments	EFSC	July 24, 2020*
Proposed Order and Notice of Contested Case	ODOE	TBD
Final Decision	EFSC	TBD



* Pending the close of the record of the DPO

Public Participation at DPO Phase

- The issuance of the DPO notice initiates the opportunity for public comment on the proposed facility;
- Notice opens comment period and provides details on public hearing;
- The public may submit comments by:
 - Mail, email, hand-delivery, or fax during the comment period;
 - Providing oral or written comments at the in-person, webinar/call-in DPO public hearing.



Public Participation at DPO Phase (cont'd)

- Persons commenting on DPO during the comment timeframe are eligible to be considered for party status in the contested case proceeding;
 - The Council will not accept comments on the application or on the DPO after the close of the record on July 20, 2020;
- For consideration in the contested case, issues raised must be raised with sufficient specificity so that the Council, the Department, and the applicant understand the issue raised and are afforded an opportunity to respond to the issue;
- To raise an issue with sufficient specificity, a person must present facts that support the person's position on the issue.

Public Participation at DPO Phase (cont'd)

Effective Comments

- Referencing specific Council siting standards and OAR's. Providing specific information supporting whether or not a standard has been met;
- Stating supporting facts in comments & attaching reference materials;
- Referencing specific pages or sections of the application (ASC) or DPO.

Less Effective

- Only stating support or opposition to a proposed facility;
- Only providing a copy of a report without presenting any analysis or facts related to compliance with a standard;
- Raising issues outside of EFSC's jurisdiction;
- Making unsubstantiated statements.

Obsidian Solar Center Draft Proposed Order Public Hearing

July 20, 2020

**Presiding Officer - Joe Allen, Senior Administrative Law Judge,
Office of Administrative Hearings
EFSC Appointed Hearing Officer**



Obsidian Solar Center: Public Hearing

Format for Public Testimony

- Hearing Officer Establishes Time Allotment for Public Testimony at the End of Hearing Officer Presentation;
 - Based on total individuals participating in person, and via webinar/call-in hearing who've indicated they would like to provide testimony;
- Each Commenter (in-person, on webinar and on conference line) shall state their name, with spelling, and physical mail or email address for the record;
- Time may be tracked, if so, please respect time;
- Time will be stopped if there are clarifying questions asked;
- Applicant will have opportunity to testify last;
- Hearing is being recorded.



Obsidian Solar Center: Public Hearing

A person who intends to raise any issue that may be the basis for a contested case must raise the issue:

- ➔ in person at the hearing or in a written comment submitted to the Department of Energy before the deadline stated in the notice of the public hearing (TODAY, July 20, 2020).
- ➔ with sufficient specificity to afford the Council, the Department of Energy and the applicant an adequate opportunity to respond, including a statement of facts that support the person's position on the issue.

OAR 345-015-0220 (5)(a) and (b)



Obsidian Solar Center: Public Hearing

Consideration of Issues in a Contested Case

To raise an issue in a contested case proceeding, the issue must be:

- within the jurisdiction of the Council;
- raised in person or in writing before the deadline stated in the notice of the public hearing; and
- raised with sufficient specificity to afford the Council, the Department of Energy, and the applicant an adequate opportunity to respond.

To raise an issue with sufficient specificity, a person must present facts that support the person's position on the issue.



OAR 345-015-0016(3) and OAR 345-015-0220

Obsidian Solar Center: Public Hearing

Preliminary Number of Those Who Wish to Testify

- On Webex Webinar – based on those who used the hand raising feature.
- In-Person
- On the Phone

On Phone (Last Name Beginning With):

- A - C
- D - F
- G - I
- J - L
- M - O
- P - R
- S - U
- V - Z

Department and Hearing Officer will Coordinate to Establish Testimony Time Limits, if Necessary.

Thank You for Your Patience While We Work on This.



Obsidian Solar Center: Public Hearing Testimony

[Click](#)

Prior to Testifying, state the following:

- Full name with spelling
- Name of organization or group if you are representing one
- Title if you are representing an organization or group
- Physical mail or email address if you wish to receive notice of the Proposed Order which includes a description of how to request to participate in the contested case

Please Note: If you do not wish to provide your mailing or email address in this format, you may email it to the Department at kellen.tardaewether@Oregon.gov or call the following number and provide the information, including spelling, in a voicemail: 503-586-6551.



Obsidian Solar Center: Public Hearing

Close of the Public Hearing



Adjourn

