



Oregon

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To: Energy Facility Siting Council

From: Sarah Esterson, Senior Siting Analyst

Date: July 10, 2020

Subject: Agenda Item H (Information Item):
Staff Report on the Draft Proposed Order on Request for Amendment 5 of the
Montague Wind Power Facility Site Certificate for the July 23-24, 2020 EFSC
Meeting

Attachments: Attachment 1: Draft Proposed Order on Request for Amendment 5
Attachment 2: Comments Received on Record of Draft Proposed Order Public
Hearing

STAFF RECOMMENDATION

The Oregon Department of Energy (Department) issued the Draft Proposed Order (DPO) on Request for Amendment 5 (RFA5) of the Montague Wind Power Facility Site Certificate on June 26, 2020, recommending that the Energy Facility Siting Council (Council) approve the amendment request and grant issuance of an amended and two original site certificates, subject to compliance with the existing and recommended amended site certificate conditions (see Attachment 1 of this staff report).

The opportunity to provide comments on the DPO and RFA5 (record of the DPO Public Hearing) extends 27-days from June 26 through July 23, 2020. To date, the Department received a non-substantive comment from Oregon Department of Fish and Wildlife; no other comments have been received. The Department suggests changes be incorporated into Section III.A.5. *Retirement and Financial Assurance* of the proposed order and Condition 32, as described in this staff report.

BACKGROUND

Montague Wind Power Facility is an approved 404 megawatt (MW) wind and solar energy generation facility, to be developed in two phases; Phase 1 (actual) includes 201 MW of wind energy generation equipment consisting of 56 wind turbines and related or supporting facilities and commenced commercial operation in October 2019. Phase 2 (approved) includes 203 MW of wind and solar energy generation equipment consisting of up to 81 wind turbines, up to 1,189 acres of solar photovoltaic energy generation components, and related or supporting facilities. Construction of Phase 2 must commence by August 30, 2022.

PROPOSED FACILITY MODIFICATIONS

Montague Wind Power Facility, LLC (certificate holder) seeks Council approval for the following site certificate changes: split existing site certificate and previously approved facility components into one amended site certificate for Montague Wind Facility (201 MW; 56 wind turbines) and two original site certificates for facilities named Montague Solar Facility (162 MW; up to 1,496 acres of solar photovoltaic energy generation equipment) and Oregon Trail Solar Facility (41 MW; up to 16 wind turbines or 1,228 acres of solar photovoltaic energy generation equipment, or any combination not to exceed 41 MW), to be owned by limited liability companies created by Avangrid Renewables, LLC, the existing certificate holder owner.

The amendment request also seeks approval to reduce site boundary area from 47,056 to 42,946 acres; expand solar micro-siting area from 1,189 to 2,725 acres (includes a “reasons” exception request to the statewide policy embodied in Goal 3, *Agricultural Lands*); construction and operation of a new switching station (includes circuit breakers, switches, and other auxiliary equipment) on a 2-acre site to link Montague Solar Facility to the Phase 1 collector substation (Montague Wind substation); approval to use an alternative route for a segment of previously approved 230 kV transmission line; and, administrative and substantive site certificate condition amendments.

COUNCIL SCOPE OF REVIEW

In accordance with OAR 345-027-0371, the Council will review and provide comments to the Department on the DPO at the July 23-24, 2020 Council meeting, where the Department will provide a description of the DPO and comments received. Following the Council’s review and consideration of comments received on the record of the public hearing, staff will issue a proposed order in accordance with OAR 345-027-0371, taking into consideration the comments of the Council, public comments received on the record of the DPO public hearing (i.e. June 26 – July 23, 2020), and agency consultation. In conjunction with the issuance of the proposed order, the Department will issue a notice of an opportunity to request a contested case, which will include an opportunity for those who commented, either orally or in writing, on the record of the DPO public hearing to request a contested case on the proposed order.

PROPOSED ORDER REVISIONS

As described above, substantive comments on RFA5 and the DPO have not been received on the record of the DPO public hearing. Nonetheless, the Department identified that Condition 32, imposed under the Council’s Retirement and Financial Assurance standard, as evaluated in Section III.A.5. of the DPO, should be further amended.

Condition 32 requires that, prior to construction, the certificate holder submit a bond or letter of credit for the amount previously determined by Council to be satisfactory for facility decommissioning and site restoration. Condition 32 provides that the bond or letter of credit may be adjusted at final facility design based on the unit costs and tasks identified in Council’s Final Order on Request for Amendment 4 (September 2019). The certificate holder has not proposed to change the methods for evaluating the tasks, actions and unit costs of facility decommissioning and site restoration; however, based on the allocation of previously approved facility components into an amended and two original site certificates, and inclusion of the

proposed switching station decommissioning cost, as provided in RFA5 Attachment 3, the Department recommends that the proposed order present, in tabular format, the unit costs and tasks specific to facility components included in the proposed amended and two original site certificates and that these tables be referenced in Condition 32. The Department will present these recommendations and any other comments received on or before July 23, 2020 to Council during their review on July 24, 2020 of the DPO and comments received.

ATTACHMENTS:

Attachment 1: Draft Proposed Order on Request for Amendment 5

Attachment 2: Comments Received on Record of Draft Proposed Order Public Hearing