



Oregon

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To: Energy Facility Siting Council

From: Sarah Esterson, Senior Siting Analyst

Date: August 7, 2020

Subject: Agenda Item B (Action Item): Council Review of draft Final Order on Request for Amendment to Transfer the Wheatridge Renewable Energy Facility I Site Certificate for the August 21, 2020 EFSC Meeting

Attachments: Attachment 1: Draft Final Order on Request for Amendment to Transfer the Wheatridge Renewable Energy Facility I Site Certificate

STAFF RECOMMENDATION

The Oregon Department of Energy (Department) recommends that the Energy Facility Siting Council (Council) approve the Request for Amendment to Transfer the Wheatridge Renewable Energy Facility I Site Certificate and issue an amended site certificate transferring the site certificate from the current certificate holder, Wheatridge Wind Energy, LLC, a wholly owned subsidiary of NextEra Energy Resources, LLC, to a new owner (certificate holder), Portland General Electric.¹

BACKGROUND

Wheatridge Renewable Energy Facility I (WREFI) is a 100 megawatt (MW) wind energy generation facility within Morrow County. The facility was previously approved as the Wheatridge Wind Energy Facility (November 2019), inclusive of 650 MWs of wind and solar energy generation components in Morrow and Umatilla counties. In May 2020, Council approved an amendment request authorizing the previously approved 650 MWs of wind and solar facility components to be allocated into two original site certificates, based entirely on the previously approved Wheatridge Wind Energy Facility site certificate, for facilities named WREFI (100 MW wind) and Wheatridge Renewable Energy Facility II (WREFII, 550 MW wind and solar)). WREFI (100 MW wind) and WREFII (200 MW wind) are anticipated to commence commercial operation in October 2020; the remaining components of WREFII must commence construction on or before November 2022.

On June 10, 2020, the Department received a Request for Amendment to Transfer the WREFI Site Certificate from Wheatridge Wind Energy, LLC to Portland General Electric, representing a

¹ OAR 345-027-0400(1)(b) defines “new owner” as the person or entity that will gain ownership, possession or control of the facility or the certificate holder.

transfer of certificate holder and certificate holder owner (NextEra Energy Resources, LLC to Portland General Electric). On June 15, 2020, the Department issued Public Notice of the Request for Amendment to Transfer to all persons on the Council's general mailing list, the special mailing list established for the facility (including the list for WREFI and Wheatridge Wind Energy Facility), an updated list of property owners supplied by the new owner, and reviewing agencies as defined in OAR 345-001-0010(52). The notice included a request for comments and established a comment deadline of August 21, 2020. To date, the Department has not received comments on the Request for Amendment to Transfer.

TRANSFER REQUEST PROCESS

The procedural requirements for a Request for Amendment to Transfer a Site Certificate are established in OAR 345-027-0400, and require that the Council conduct a transfer hearing prior to its approval or denial of the request. The transfer hearing is scheduled to occur at the August 21, 2020 Council meeting, via WebEx and teleconference, at 8:45 a.m. (Additional details on WebEx login and conference call-in number for the transfer hearing are provided on the Department's Council meeting webpage at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Council-Meetings.aspx>)

Following the transfer hearing, the Department will present its recommendations included in the draft Final Order on the Request for Amendment to Transfer the WREFI Site Certificate, as provided in Attachment 1 of this staff report. To approve a Request for Amendment to Transfer a Site Certificate, Council must find that the new owner has the ability to satisfy the requirements of the Organizational Expertise (OAR 345-022-0010) and Retirement and Financial Assurance (OAR 345-022-0050) standards; and if applicable, Standards for Facilities that Emit Carbon Dioxide (OAR 345-024-0710(1)). Council must also find that the new owner is or will be lawfully entitled to possession or control of the site or facility.

STAFF EVALUATION OF THE REQUEST FOR TRANSFER

The Department evaluated the new owner's request to transfer ownership of the WREFI site certificate from the current certificate holder, Wheatridge Wind Energy, LLC, to the new owner, Portland General Electric. The Department will also evaluate any comments received in writing before the comment deadline, or during the August 21, 2020 transfer hearing, and will incorporate any necessary modifications into the draft Final Order as directed by the Council.

Based on the information provided in the record, the Department recommends the Council find that the new owner would satisfy the requirements of the Organizational Expertise and Retirement and Financial Assurance standards. As a wind energy generation facility, the facility does not emit carbon dioxide, and thus the evaluation of compliance with Standards for Facilities that Emit Carbon Dioxide – Monetary Path Payment Requirement is not applicable.

ATTACHMENTS:

Attachment 1: Draft Final Order on Request for Amendment to Transfer the Wheatridge Renewable Energy Facility I Site Certificate