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Subject: Procedural Information Concerning Hearing Officer's Order on Petitions for Party Status, Authorized Representatives and Issues for Contested Case in the matter of the Application for Site Certificate for the Boardman to Hemingway Transmission Line
Attachments: 20.10.30 - Letter_to_ALJ_Webster re Procedural Information Concerning Hearing Officer's Order on Party Status.pdf

The attached document was electronically mailed to Senior Administrative Law Judge Alison Greene Webster today.

Jeffery R. Seeley

Legal Secretary

General Counsel Division | Natural Resources Section

Oregon Department of Justice

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Please note: I am checking voicemail and returning calls while teleworking, but e-mail is the fastest way to reach me.

Telework Hours: 7:30 a.m. to 4:30 p.m. (Mondays thru Fridays)



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DEPARTMENT OF JUSTICE
GENERAL COUNSEL DIVISION

October 30, 2020

VIA ELECTRONIC MAIL ONLY

Alison Greene Webster
Senior Administrative Law Judge
Office of the Administrative Hearings
OED_OAH_Referral@oregon.gov

RE: Procedural Information Concerning Hearing Officer's Order on Party Status
In the Matter of Boardman to Hemingway
OAH Case No. 2019-ABC-02833
DOJ File No. 330050-GN0260-20

Dear ALJ Webster and interested persons:

On October 29, 2020, the Hearing Officer issued Hearing Officer's Order on Petitions for Party Status, Authorized Representatives and Issues for Contested Case in the matter of the Application for Site Certificate for the Boardman to Hemingway Transmission Line. The appeal statement provided states:

"Pursuant to OAR 345-015-0016(6), the determination on requests to participate as a party or limited party, as stated in this order, is final unless the petitioner submits an appeal to the Council within seven (7) days after the date of service of the Hearing Officer's determination."

The deadline to submit appeals of the Hearing Offer's Order on Petitions for Party Status, Authorized Representatives and Issues for Contested Case to Council is Friday November 6, 2020 at 4:30 p.m. Please submit appeals to the Hearing Officer and B2H service list and after the close of the deadline, the Hearing Officer will submit appeals directly to Council.

Under OAR 345-015-0054(2), the applicant and Department have seven days to file a response to the appeals. Any responses filed should be served in the same manner as the appeals to Council, to the B2H service list and then the Hearing Officer will provide the responses to Council. The deadline for the applicant and Department to file responses to appeals is November 13, 2020 at 4:30 p.m.

Council will review appeals to the Hearing Offer's Order on Petitions for Party Status, Authorized Representatives and Issues for Contested Case and responses to appeals at its

Alison Greene Webster
October 30, 2020
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regularly scheduled Council meeting on November 20, 2020. For the purposes of any appeals to Council and throughout the contested case process DOJ Senior Assistant Attorney General Jesse Ratcliffe will be legal counsel to the Council.

The Department will provide additional details regarding the schedule and format for the November 20 meeting after November 9, 2020 and will serve the schedule/agenda to the B2H service list. Note that the schedule and format of this agenda item at the November 20, 2020 Council meeting will be determined by Counsel to Council and the Council, and is subject to change by vote of Council members at the meeting.

Sincerely,

/s/ Jesse D. Ratcliffe

Jesse D. Ratcliffe
Senior Assistant Attorney General
Natural Resources Section

JDR:jrs/#10510533
c: Service list

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2020, the foregoing document was served by mailing or emailing a true copy as set forth below:

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DATED this 30th day of October 2020.

/s/ Jesse D. Ratcliffe

Jesse D. Radcliffe, OSB #043944
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Energy