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
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)

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

********************************************
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 Officer’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 Officer’s Order on Petitions for Party Status, Authorized Representatives and Issues for Contested Case and responses to appeals at its
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:

By: First Class Mail:

John C. Williams
PO Box 1384
La Grande, OR 97850

By: Electronic Mail:

David Stanish
Attorney at Law
Idaho Power Company
dstanish@idahopower.com

Lisa Rackner
Attorney at Law
Idaho Power Company
lisa@mrg-law.com

Jocelyn Pease
Idaho Power Company
Attorney at Law
jocelyn@mrg-law.com

Joseph Stippel
Agency Representative
Idaho Power Company
jstippel@idahopower.com

Christopher Burford
Attorney at Law
Office of the President
Eastern Oregon University
cburford@eou.edu

Kellen Tardaewether
Agency Representative
Oregon Department of Energy
Kellen.tardaewether@oregon.gov

Karl G. Anuta
STOP B2H Coalition
kga@integra.net

Mike J. Sargetakis
STOP B2H Coalition
mike@oxbowlaw.com

Sam Myers
sam.myers84@gmail.com

Susan Geer
susanmgeer@gmail.com

Whit Deschner
deschnerwhit@yahoo.com

Gail Carbiener
mcgccarb@bendbroadband.com

Charles H. Gillis
charlie@gillis-law.com

David Moyal
moyald@gmail.com

Corrine Dutto
dutto@eoni.com

John B. Milbert
jmfisherman9@gmail.com
In the Matter of Boardman To Hemingway Transmission Line, OAH Case No. 2019-ABC-02833
Page 3 of 4 – CERTIFICATE OF SERVICE
DM#10510421

Kathryn Andrew
lkathrynandrew@gmail.com

Jerry Hampton
jerryhampton61@gmail.com

Ken and Marsha Hildebrandt
ken_marsha@comcast.net

Greg Larkin
larkingreg34@gmail.com

Kathryn Morello
cndyrela@eoni.com

Stacia Jo Webster
staciajwebster@gmail.com

Daniel L. White
danno@bighdesign.biz

Joann Marlette
garymarlette@yahoo.com

John H. Luciani
dirtfarmerjohn@gmail.com

Dr. Karen Antell
Professor of Biology Eastern Oregon University, Science Office
kantell@eou.edu

Norm Cimon
ncimon@oregontrail.net

Joe Horst and Ann Cavinato
joehorst@eoni.com

Matt Cooper
mcooperpiano@gmail.com

Virginia and Dale Mammen
dmammen@eoni.com

Jim and Kaye Foss
onthehoof1@gmail.com

Miranda Aston
tranquilhorizonscooperative@gmail.com

Charles A. Lyons
marvinroadman@gmail.com

Dianne B. Gray
diannebgray@gmail.com

Timothy C. Proesch
tranquilhorizonscooperative@gmail.com

Janet Aston
owyheeoasis@gmail.com

Suzanne Fouty
suzannefouty2004@gmail.com

Susan Badger-Jones
sbadgerjones@eoni.com

Michael McAllister
wildlandmm@netscape.net

Lois Barry
loisbarry31@gmail.com

Anne March
amarch@eoni.com

Colin Andrew
candrew@eou.edu

Peter Barry
petebarry99@yahoo.com

Kevin March
amarch@eoni.com
CERTIFICATE OF SERVICE

Louise Squire
squirel@eoni.com

Ralph Morter
amorter79@gmail.com

Irene Gilbert
ott.irene@frontier.com

Greg Larkin
larkingreg34@gmail.com

Jonathan White
jondwhite418@gmail.com

John Winters
wintersnd@gmail.com

Sam Hartley
samhartley57@gmail.com

Sue McCarthy
suemc@eoni.com

Jim Kreider
jkreider@campblackdog.org

Jeffery R. Seeley
Jeff.seeley@doj.state.or.us

Sue McCarthy
suemc@eoni.com

Jesse Ratcliffe
jesse.d.ratcliffe@doj.state.or.us

Jennifer Miller
rutnut@eoni.com

Stop B2H Coalition
fuji@stopb2h.org

Kelly Skovlin
kskovlin@gmail.com

Ryan W. Browne
browner@eou.edu

Jim and Jane Howell
d.janehowell@gmail.com

Jeri Watson
lotusbsilly@eoni.com

Brian Doherty
bpdoherty@hughes.net

Alisha Till
alisha@mrg-law.com

Nichole Milbrath
nichole.milbrath@centurylink.com

Carl Morton
carlmorton2000@gmail.com

Sarah Esterson
Sarah.esterson@oregon.gov

DATED this 30th day of October 2020.

/ls/ Jesse D. Ratcliffe

Jesse D. Radcliffe, OSB #043944
Senior Assistant Attorney General
Attorney for the Oregon Department of Energy

In the Matter of Boardman To Hemingway Transmission Line, OAH Case No. 2019-ABC-02833
Page 4 of 4 – CERTIFICATE OF SERVICE
DM#10510421