

**BEFORE THE ENERGY FACILITY SITING COUNCIL
OF THE STATE OF OREGON**

In the Matter of the Application for Site
Certificate for the

BOARDMAN TO HEMINGWAY
TRANSMISSION LINE

APPLICANT IDAHO POWER
COMPANY’S RESPONSE TO STOP B2H
COALITION’S MOTION FOR
CONTINUANCE OF MATERIAL
CHANGE HEARING DATE

OAH Case No: 2019-ABC-02833

1 On September 14, 2022, the STOP B2H Coalition (“STOP B2H”) filed a Motion requesting
2 a continuance to postpone the Material Change Hearing for the Boardman to Hemingway
3 Transmission Line project (“Project”). In accordance with OAR 345-015-0054(2), Applicant
4 Idaho Power Company (“Idaho Power” or the “Company”) provides this response requesting that
5 the Council deny STOP B2H’s Motion and hold the Material Change Hearing on September 27,
6 2022 consistent with the notices that have been issued to date.

7 STOP B2H asserts that because the Oregon Department of Energy (“ODOE”) represented
8 that it would issue the draft Final Order two weeks before the Material Change Hearing—and in
9 fact ODOE issued the draft Final Order on September 16, 2022—that the Material Change Hearing
10 should be continued for another two weeks or until the Council’s next regularly scheduled meeting
11 in October 2022.¹ STOP B2H further asserts that the timeframe for review falls short of the
12 “minimum” two-week time frame and is inadequate due to the size and complexity of the expected
13 draft Final Order, and that there will be no harm associated with a two to four-week delay.²
14 However, the Council should reject STOP B2H’s contentions for the following reasons.

15 First, contrary to STOP B2H’s allegations, there is no two-week “minimum” time period
16 for review. The EFSC statutes and rules do not prescribe any particular time period for issuance
17 of a draft Final Order prior to the Council’s Material Change Hearing. In fact, earlier this year,
18 the Council held a hearing to consider a Proposed Contested Case Order and a Material Change

¹ STOP B2H’s Motion for Continuance of Material Change Hearing Date at 1 (Sept. 14, 2022) (“Motion”).

² Motion at 1-2.

1 Hearing on the *same day* and in the *same meeting* for the Obsidian Solar Center.³ Thus, the
2 Council should reject STOP B2H’s contention that two weeks is the minimum period for review.

3 Second, STOP B2H claims that the size and complexity of the draft Final Order warrant a
4 delay.⁴ However, the Material Change Hearing will not address the entirety of the draft Final
5 Order, and instead will consider *only* the material changes from the Proposed Order and Proposed
6 Contested Case Order. Importantly, these changes are very few and each was discussed at length
7 at the Council’s August 29-31 Public Meeting considering the Proposed Order and Proposed
8 Contested Case Order. There is no reason why review of the material changes would require more
9 than a few days. Moreover, the period between September 16 and September 27 provides a total
10 of 10 full days for interested parties to review—which is ample time to complete the review of a
11 few discrete changes.

12 Finally, the Council should reject STOP B2H’s argument that a delay of two to four weeks
13 would not be problematic or cause any substantive harm to the Applicant, ODOE, or the Council.⁵
14 On the contrary, the need for timely issuance of the B2H site certificate is now more important
15 than ever. B2H is needed in 2026 to make up the capacity deficit created by significant customer
16 growth including large new loads, and Idaho Power’s exit from coal operations at Valmy,
17 Boardman and certain units of the Jim Bridger coal plants. Idaho Power exited Valmy Unit 1 (127
18 MW) in 2019, and the Boardman plant ceased operations in 2020. In addition, the 2021 Integrated
19 Resource Plan filed with the Public Utility Commission of Oregon contemplates that Idaho Power
20 will exit Bridger Coal Unit 3 (177 MW) and Valmy Unit 2 (133 MW) in 2024. As a result of these
21 coal plant exits, combined with expected load growth, timely construction of the B2H project is
22 necessary to meet forecasted shortfalls. Moreover, there are many tasks that remain to be
23 completed following the issuance of the site certificate and before construction may commence to

³ Minutes of the February 25, 2022 Energy Facility Siting Council Meeting at 8-9.
⁴ Motion at 1-2.
⁵ Motion at 2.

1 allow for a 2026 in-service date—which include (but are not limited to) right-of-way acquisition,
2 finalizing engineering and design, and procurement of long-lead time materials.

3 For the foregoing reasons, Idaho Power respectfully requests that the Council deny STOP
4 B2H’s Motion and proceed with the Material Change Hearing on September 27, 2022.

DATED: September 19, 2022

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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on September 19, 2022, **APPLICANT IDAHO POWER COMPANY'S RESPONSE TO STOP B2H COALITION'S MOTION FOR CONTINUANCE OF MATERIAL CHANGE HEARING DATE** was served by First Class Mail or electronic mail to counsel for the Energy Facility Siting Council and to each party indicated below:

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