



Oregon

Tina Kotek, Governor



550 Capitol St. NE
Salem, OR 97301
Phone: 503-378-4040
Toll Free: 1-800-221-8035
FAX: 503-373-7806
www.oregon.gov/energy

To: Energy Facility Siting Council

From: Chase McVeigh-Walker, Senior Siting Analyst

Date: March 7, 2025

Subject: Agenda Item B (Action Item): Madras Solar Energy Facility, Possible Adoption of Final Order, for the March 21, 2025 EFSC Meeting

Attachments: Attachment 1: Proposed Order on Request for Amendment 1

APPROVED FACILITY

The approved but not yet constructed facility includes 63 megawatts (MW) of solar photovoltaic energy generation components to be located within an approximately 284-acre site boundary. The certificate holder is Madras PV1, LLC., a wholly owned subsidiary of Ecoplexus Inc. The Council issued the Site Certificate on July 16, 2021.

PROPOSED FACILITY MODIFICATIONS

The certificate holder requests a three-year extension to both the construction commencement and completion deadlines. This change would make the new construction commencement deadline June 25, 2027, and new completion deadline 18 months after construction commences.

PROCEDURAL HISTORY

June 25, 2024	Certificate holder filed preliminary Request for Amendment 1.
Oct 17, 2024	Certificate holder filed a complete RFA1, following Department determination.
Oct 18, 2024	Draft Proposed Order (DPO) on RFA1 issued.
Nov 14, 2024	Council conducted a public hearing on the DPO.
Jan 17, 2025	Council reviewed the DPO, comments received on the DPO, certificate holder responses to comments and the Department's preliminary evaluation of those comments.
Jan 30, 2025	Proposed Order on RFA1 issued.
March 3, 2025	Deadline for DPO commenters to request a contested case.
March 21, 2025	Council review of the Proposed Order and possible issuance of the Final Order.

PROPOSED ORDER

The Proposed Order included two material changes in response to issues raised in DPO comments, which are briefly described below.

On the record of the DPO public hearing, Confederated Tribes of the Warm Springs (CTWS) commented that they have not consented to an interconnection for the facility to the 230 kV Pelton Dam to Round Butte transmission line; and, expressed concern that the construction of the facility and perimeter fenceline would exclude CTWS from accessing the line in the future. In response, certificate holder indicated that final site plans that “clarify that PV site fencing will not eliminate access to the FERC-licensed 230 kV line” will be provided prior to construction.

Council rules establish mandatory conditions that must be imposed in all site certificates. OAR 345-025-0006(5), or mandatory condition 5, requires that the certificate holder acquire construction rights on all parts of the site, before beginning construction. The authority provided in this mandatory condition allows Council to prohibit construction on any part of the site until access/rights have been obtained by the certificate holder. Consistent with this authority and certificate holder representations, the Proposed Order recommended a new condition (General Standard Condition 12) to ensure that the facility layout and design would not preclude or limit access to the 230-kV Pelton Dam to Round Butte transmission line Right Of Way, which traverses east-west through the middle of the facility site, by the line owner unless an access agreement has been obtained.

For the same reasons identified in the CTWS comments above, CTWS also argued that Council’s prior approval of the goal exception, and determination that the facility is locationally dependent, cannot be made to meet its standards. The Proposed Order recommended findings of fact related to Council’s prior review and approval of the “locational dependence” reason.

The recommended findings confirmed that the Council based its prior decision on the potential for the certificate holder/facility to interconnect to the line and the fact that interconnection to this specific line eliminated the need for construction of another transmission line. Council did not base its prior approval of the “locational dependence” Goal 3 exception reason on a firm commitment that the facility had already secured an interconnect agreement.

To ensure understanding of the certificate holder’s obligation to secure an interconnect agreement and clarify the basis of Council’s prior approval of the “locational dependence” Goal 3 exception reason, the Proposed Order recommended Council impose a condition (Land Use Condition 7) requiring that, prior to construction of the facility or facility component, as applicable, the certificate holder demonstrate that it has executed an agreement with the owners to interconnect to the 230 kV Pelton to Round Butte transmission line.

CONTESTED CASE REQUESTS

The deadline to submit a request for a contested case proceeding was 5:00 p.m. Pacific Time on March 3, 2025. No requests for a contested case proceeding were submitted.

COUNCIL OPTIONS

1. Approve (Department Recommendation). Adopt the Proposed Order as the Final Order, and issue an amended site certificate, subject to the recommended findings, conclusions, and conditions of approval in the Proposed Order.
2. Approve with Changes – The Council may make changes from the Proposed Order to the Final Order.
3. Deny – The Council may also deny RFA1 with modified findings.