



Oregon

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To: Energy Facility Siting Council

From: Chase McVeigh-Walker, Senior Siting Analyst

Date: August 7, 2026

Subject: Agenda Item A, Public Hearing:
Oregon Trail Solar Facility Request for Amendment 2 – Public Hearing on
Proposed Order for the August 20-21, 2026 EFSC Meeting

Attachments: Attachment 1: Proposed Order on Amendment 2
Attachment 2: Placeholder (comments on the Proposed Order, if received)

Summary

On July 2, 2026, the Oregon Department of Energy (Department) issued a Proposed Order on Request for Amendment 2 of the Oregon Trail Solar Facility Site Certificate (RFA2). The Proposed Order recommends the facility, with the changes proposed in RFA2, complies with all required standards and should be approved by the Energy Facility Siting Council (Council), subject to existing and recommended amended site certificate conditions.

On the same date, the Department issued a Public Notice of the Proposed Order and Complete Request for Amendment as required by OAR 345-027-0365 and -0367. The Public Notice of the Proposed Order initiated a public comment period on RFA2 and the Proposed Order and established an opportunity to provide written and verbal comments at the August 20, 2026 public hearing, starting at 6:00 p.m. Written comments may also be submitted to the Department through the close of the public comment period, August 28, 2026, at 5:00 p.m.

Existing Facility Description

The Oregon Trail Solar Facility is currently under construction, including 41 MWs of solar photovoltaic power generation components and 20 MWs of battery energy storage facility components. The facility is located in Gilliam County, 7.5 miles south of the City of Arlington. The parent company is Avangrid Power, LLC.

Proposed Facility Modifications

RFA2 requests to split the approved facility, including components, site boundary and micrositing areas into two site certificates; and then transfer a portion of the facility, the approved battery energy storage system, to a new certificate holder, Shutler Energy Storage, LLC, a wholly owned subsidiary of Avangrid Power, LLC. RFA2 also eliminates wind turbines as an approved generating component, and reduces the approved wind micrositing corridor and site boundary accordingly.

The certificate holder seeks to amend several conditions to be consistent with the site certificate split.

Procedural Steps

The procedural steps for this site certificate amendment request initiated on May 22, 2026. The timeline and description of procedural steps are presented below.

Date	Procedural Step
<u>May 22, 2026</u>	Certificate holder submitted preliminary Request for Amendment 2 (pRFA2).
<u>June 3, 2026</u>	The Department issued Public Notice that pRFA2 had been received as required by OAR 345-027-0360(2).
<u>July 6, 2026</u>	Department notified the certificate holder that pRFA2 was incomplete and issued requests for additional information (RAIs) needed to recommend findings and conditions on applicable standards to the Council.
<u>July 29, 2026</u>	Department informed the certificate holder that it had completed its review of the RAI responses and notified the certificate holder that pRFA2, with RAI responses, was complete.
<u>July 31, 2026</u>	Certificate holder filed a complete RFA2.
<u>July 31, 2026</u>	Department issued the Proposed Order on RFA2 and Public Notice of the Proposed Order on RFA2 and Complete RFA2.
<u>July 31, 2026</u>	Department is accepting comments on RFA2 and the Proposed Order on RFA2.
<u>August 20, 2026</u>	The Council will conduct a public hearing on RFA2 and the Proposed Order on RFA2, with opportunities for remote or in-person participation. The hearing will be held at the Gronquist Community Center in Arlington and also via TEAMS at 6:00 p.m..
<u>August 28, 2026</u>	Deadline for which all comments on RFA2 and Proposed Order on RFA2 must be received by the Department.
<u>September 4, 2026</u> (5:00 p.m.)*	Deadline for the certificate holder and the Department to provide responses to comments, if received.
<u>September 11, 2026</u> (5:00 p.m.)*	Deadline for commenters to provide replies to responses provided by the certificate holder and the Department.
<u>September 16, 2026</u> (5:00 p.m.)*	Deadline for the certificate holder and the Department to provide sur-replies to commenters, as applicable.
<u>October 9, 2026</u>	Department will issue a Notice of draft Final Order and draft Final Order.
<u>October 22-23, 2026*</u>	Council will review the Department's written analysis of the comments, responses, replies, and sur-replies, along with the draft of the final order and, based on the considerations described in OAR 345-027-0375, will either grant or deny issuance of an amended site certificate in a written final order.
*If no comments are received between July 31 – August 28, 2026, these dates will not apply.	

Scope of Council Review

OAR 345-027-0375, in making a decision to grant or deny issuance of the amended site certificate, the Council must determine whether the preponderance of evidence on the record supports the conclusions that the facility, with the proposed change, complies with all applicable laws and Council standards. In making these findings, the Council must apply the applicable laws and standards in effect on the date the Council issues its final order.

Department Evaluation of RFA2 and Summary of Proposed Order

As presented in the Proposed Order, due to the limited nature of proposed changes included in RFA2 and considering preconstruction compliance has already been completed prior to submittal of RFA2, the Department recommends that Council find that the changes proposed in RFA2 would not result in new or different impacts not previously evaluated by Council for the following Council standards for the existing or proposed facility:

- Structural (OAR 345-022-0020)
- Soil Protection (OAR 345-022-0022)
- Land Use (OAR 345-022-0030)
- Protected Areas (OAR 345-022-0040)
- Fish & Wildlife Habitat (OAR 345-022-0060)
- Threatened & Endangered Species (OAR 345-022-0070)
- Scenic Resources (OAR 345-022-0080)
- Historic, Cultural & Archaeological Resources (OAR 345-022-0090)
- Recreation (OAR 345-022-0100)
- Public Services (OAR 345-022-0110)
- Wildfire Prevention and Risk Mitigation (OAR 345-022-0115)
- Waste Minimization (OAR 345-022-0120)
- Oregon Noise Control Regulation (OAR 340-035-0035)
- Oregon Removal-Fill Law (OAR 141-085-0500 through OAR 141-085-0785)
- Oregon Water Rights (OAR 345-022-0000(1)(b)); (OAR 345-021-0010(1)(o)(F))

The Proposed Order recommends that the Council find that with the existing, and proposed amended and deleted conditions, the existing and proposed facilities with proposed RFA2 changes will comply with the following standards:

General Standard of Review: OAR 345-022-0000 (Section III.A.1., pg. 15-17)

The Department recommends Council remove battery energy storage system related conditions from the Oregon Trail Solar facility, solar generation related conditions from the proposed Shutler BESS facility, and as well as the removal of wind generation conditions from both facilities.

Organizational Expertise: OAR 345-022-0010 (Section III.A.2., pg. 17-19)

The Department recommends Council make the following new findings of fact:

- Proposed new certificate holder is Shutler Energy Storage, LLC, a project-specific LLC wholly owned by Avangrid Power, LLC's (parent company).
- Shutler Energy Storage, LLC relies upon the organizational expertise and experience of its parent company to meet the standard.

- Deputy General Counsel Jeffrey Durocher confirmed that Shutler Energy Storage, LLC has the legal authority to construct and operate the facility without violating its Certificates of Formation, Limited Liability Company Agreements, or Limited Liability Company Agreement of Avangrid Power, LLC.
- The proposed new certificate holder's parent company has experienced compliance issues within the last 6 years for EFSC jurisdictional facilities, but the issues have been resolved.

Retirement and Financial Assurance: OAR 345-022-0050 (Section III.A.3., pg. 19-22)

The Department recommends Council make the following new findings of fact:

- The changes proposed in RFA2 would not result in changes to decommissioning tasks, nor the decommissioning estimate Council previously approved.
- Consistent with the proposed splitting of previously approved facility components, the certificate holder provides decommissioning cost estimates, including contractor and Department contingencies for both the amended OTS facility and SBESS facility at \$2,663,265 and \$217,356 (2nd Quarter 2026 dollars), respectively. These amounts were reviewed and verified by the Department as part of preconstruction compliance review.

Public Comment Period and Next Steps

The Department has not yet received any comments on RFA2 or the Proposed Order. Any comments received in advance of the hearing will be provided via email to Council and made available through the Department's comment portal.