

BEFORE THE ENERGY FACILITY SITING COMMISSION
For the
STATE OF OREGON

IN THE MATTER OF:) **PETITIONER STOP B2H COALITION’S**
) **MOTION FOR CONTINUANCE of**
BOARDMAN TO HEMINGWAY) **MATERIAL CHANGE HEARING DATE**
TRANSMISSION LINE)
) OAH Case No. 2019-ABC-02833

MOTION

STOP Moves to postpone the Material Change Hearing currently set for September 27, 2022. STOP requests that the Material Change Hearing be set for a date at least another 2 weeks later, and preferably to the Council’s nex regularly scheduled meeting in October.

REASONS A RESET IS NEEDED

On August 31, 2022, the Oregon Department Of Energy (ODOE) Secretary Cornett represented to the members of this Council, and the attendees of the Energy Facility Siting Council’s (“EFSC”) three-day Hearing on Exceptions to the Proposed Final Order in this matter, that the Council (and by implication the public) “would [] be getting the draft of the final order – at least two weeks ahead of time – out. [ODOE will] try to get it out earlier than that...” Transcript of Exceptions Hearing, Day 3 at p.718, 1.6-9. Despite that representation, ODOE has proposed issuing an Amended draft Final Order on September 16, and holding a Material Change Hearing at its September 27, 2022 Hearing in Salem.

This timeframe falls well short of the **minimum** two-week timeframe represented to EFSC and by ODOE at the prior Hearing. Due to the complexity and size of the expected draft

Final Order, a minimum of two weeks is needed for the Council members – the parties – and the public – to review the proposed Order.

Compressing the time frame for review to less than what was represented is not fair the Council members; it is not fair the public; and it is not fair to the parties. Compression of this sort makes it appear as if this process is **not** truly an effort to provide due process to the parties and the public, but is instead just a sham - and an effort to steamroller members of the public who have invested 1,000's of hours into this process. Another 2 or 4 weeks is not going to cause any substantive harm to the Applicant, the Agency or the Council. There is no substantive reason why another 2 or even 4 weeks should not be provided for parties, the public, and Council to review the draft Final Order before a final Hearing in this matter is held.

Dated September 14, 2022.

Respectfully Submitted,

/s/ Karl G. Anuta

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CERTIFICATE OF SERVICE

On September 14 2022, I certify that I transmitted the foregoing MOTION FOR CONTINUANCE of MATERIAL CHANGE HEARING DATE to counsel for the Energy Facility Siting Council via electronic mail, and with each party entitled to service, as noted below.

/s/ Karl G. Anuta

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