

BEFORE THE ENERGY FACILITY SITING COUNCIL For the STATE OF OREGON IN THE
MATTER OF:

BOARDMAN TO HEMINGWAY TRANSMISSION
LINE

IRENE GILBERT RESPONSE TO
TO IDAHO POWER OBJECTION TO
ALLOWING ADEQUATE TIME TO RESPOND
TO CHANGES IN THE CONTESTED CASE
ORDER

ENERGY FACILITY SITING COUNCIL

PETITIONER IRENE GILBERT REPRESENTING THE PUBLIC INTEREST OBJECTS TO IDAHO POWER RESPONSE
OBJECTING TO ALLOWING ADEQUATE TIME TO RESPOND TO CHANGES IN THE CONTESTED CASE MOTION.

The objection is unfounded due to the following:

--The applicant comment stating that the material change hearing and the approval of the site certificate for Obsidian occurred on the same day has no relationship to this contested case. There were no comments or objections to the order from the one party filing a contested case.

In this case, there are 19 pages of identified changes, including changes regarding the denial of multiple site certificate conditions in error. The arguments regarding the errors in the basis for denying all of these site certificate conditions were not discussed, and no opportunity has been provided to provide these arguments. All the site certificate conditions were supported by identifying rules that are not complied with by the current order and the change in the reason for denying them are not legitimate.

--All contested case petitioners who have been limited to only responding to issues they specifically requested now have the opportunity to respond to changes in the Contested Case Order for issues they have been denied the opportunity to comment on, but which they would have had they not been restricted to "limited party" status during the hearings.

--The argument that this minimal delay would create significant prejudice to the applicant is unfounded. None of the plans required for any of the site certificate conditions have been completed in final form, multiple areas accessible to the applicant either have incomplete surveys or no surveys have been completed. All these actions are required in order to begin construction and it will require months to complete development and obtain approval of the final plans and complete other activities required by the site certificate which are not included in the changes.

Respectfully Submitted

Irene Gilbert, Pro Se Petitioner

Representing myself

And the Public Interest

On September 20, 2022, I certify that I transmitted the foregoing TRANSMISSION IRENE GILBERT RESPONSE TO IDAHO POWER OBJECTION TO ALLOWING ADEQUATE TIME TO RESPOND TO CHANGES IN THE CONTESTED CASE ORDER to counsel for the Energy Facility Siting Council via electronic mail, and with each party entitled to service, as noted below.

/s/ Irene Gilbert, Pro-Se Petitioner representing myself and the public interest.

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