



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

January 28, 2015

Mr. Jay Derr
Van Ness Feldman LLP
719 Second Avenue, Suite 1150
Seattle, WA 98104-1728

Dear Mr. Derr:

Subject: Project Review Schedule for Vancouver Energy

Thank you for your letter dated December 17, 2014 in which you requested a schedule for the remaining steps in the review process for Vancouver Energy. According to your letter this information will be helpful to your client in developing a request to EFSEC to extend the application for site certification review process. Previous action by the Council last year extended the review timeline to March 2, 2015.

There are a number of factors which may influence the schedule from this point forward. Because of the multiple steps remaining in the EFSEC process it is not practical to speculate on time frames for each step in the process. Two important areas of analysis which must be completed before the Council can make a recommendation to the Governor are SEPA and adjudication. During the December 2014 Council meeting, a presentation was made by EFSEC staff on the status of completing the DEIS. Under the current schedule, issuance of the DEIS is planned for May 2015.

Most recently, the Council voted unanimously to begin adjudication now rather than wait until after issuance of the DEIS. A presentation during the January 2015 Council meeting, by EFSEC staff described the adjudicative process and the reasons for a staff recommendation to commence adjudication. Those reasons include, allowing the parties adequate time to begin now in preparing their cases for the hearing, to be scheduled later in the process.

The first step in the commencement of adjudication is the issuance of an order in which petitions for intervention will be invited. I expect there will be a 30 day period for the filing of petitions. Following that will be multiple steps in the adjudicative process before the hearing and deliberations can be held, ultimately leading to a recommendation to the Governor.

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Starting adjudication now does not preclude parties from filing as interveners later. Nor does it mean that issues arising from the SEPA process, not previously identified cannot be addressed during adjudication at a later date. Factors such as these, though difficult to predict may have an impact on the project review schedule.

The Council is committed to conducting a thorough timely review without unnecessary delay. Mindful of the work still remaining before the Council I am hopeful a recommendation to the Governor will be made by December 31, 2015.

Please contact me at (360) 664-1903 if you have any questions concerning this matter.

Sincerely,



Stephen Posner
EFSEC Manager