

**WASHINGTON STATE  
ENERGY FACILITY SITE EVALUATION COUNCIL**

**RESOLUTION 281**

WHEREAS, a Site Certification Agreement (SCA) was issued to the Weyerhaeuser Company and the Mission Energy Company as co-sponsors for the Cowlitz Cogeneration Project on February 7, 1994 by the Governor of Washington on behalf of the Energy Facility Site Evaluation Council (Council); and

WHEREAS, Article II of the SCA provides that if construction of the project has not commenced within eighteen months of the signing of the agreement the sponsors are required to report to the Council regarding their intentions to continue with the project and to demonstrate that the statements and conditions specified in the application are still applicable; and

WHEREAS, On August 2, 1995 the Weyerhaeuser Company submitted a written request to the Council to amend the SCA by removing Mission Energy Company as a co-sponsor of the project and by extending the agreement for an additional eighteen months; and

WHEREAS, on August 11, 1995 Mission Energy sent a letter to the Council stating that it was involved in discussions with Weyerhaeuser regarding the future of the Cowlitz Cogeneration Project and requested an additional 30 days to complete the negotiations; and

WHEREAS, on August 14, 1995 Steve Strecker, Weyerhaeuser's project manager for the Cowlitz Cogeneration Project made an oral presentation to the Council about the project in which he reiterated Weyerhaeuser's earlier written request for the two Site Certification Agreement amendments discussed above; and

WHEREAS, on August 14, 1995 the Council passed a motion granting Weyerhaeuser and Mission Energy an additional 45 days to advise the Council about the progress of their negotiations regarding the future of the Cowlitz Cogeneration Project; and

WHEREAS, on September 22, 1995 Council staff wrote to both Weyerhaeuser and Mission Energy requesting an update on the status of negotiations between the companies over the future of the Cowlitz Cogeneration Project; and

WHEREAS, on September 28, 1995 both Mission Energy and Weyerhaeuser submitted written responses to the Council's request for an update on the status of negotiations over the future of the Cowlitz Cogeneration Project; and

WHEREAS, both Weyerhaeuser's and Mission Energy's September 28, 1995 letters to the Council stated that the companies had been unable to agree about the future status of the Cowlitz Cogeneration Project; and

WHEREAS, on October 9, 1995 the Council passed a motion that extended the Site Certification Agreement until the Council has a formal hearing on the future of the project and makes a decision based on the results of the hearing; and

WHEREAS, Weyerhaeuser and Mission Energy were unable to settle their differences between October 9, 1995 and December 11, 1995; and

WHEREAS, the Council scheduled, noticed and held a preheating conference for December 19, 1995 on the future of the Cowlitz Cogeneration Project, and

WHEREAS, Weyerhaeuser and Mission Energy were unable to resolve their dispute at the December 19, 1995 preheating conference, but did agree to resume discussions to attempt to resolve their differences; and

WHEREAS, on January 3, 1996 Mission Energy sent a letter to the Council stating that it now supports the amendments to the Site Certification Agreement that Weyerhaeuser initially made on August 2, 1995; and

WHEREAS, on January 8, 1996 Weyerhaeuser made a presentation about its requested changes to the existing Site Certification Agreement for the Cowlitz Cogeneration Project as part of a formal adjudicative hearing; and

WHEREAS, the Council agreed to consider the proposed amendments and to render a decision at a later date; and

NOW THEREFORE BE IT RESOLVED, that the Council hereby approves the amendments to the Cowlitz Cogeneration Project requested by Weyerhaeuser in a letter to the Council dated January 5, 1996; and

BE IT FURTHER RESOLVED, that the amendments to the Site Certification Agreement will be forwarded to the Governor for his signature.

Dated this \_\_\_\_\_ day of February, 1996

WASHINGTON ENERGY FACILITY  
SITE EVALUATION COUNCIL

By \_\_\_\_\_  
Frederick S. Adair  
EFSEC Chair

Approved as to form

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Jason J. Zeller  
EFSEC Manager