

**BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL**

**In the Matter of Second Revised
Application No. 99-1:**

Of

SUMAS ENERGY 2, INC.

**SUMAS ENERGY 2 GENERATION
FACILITY**

COUNCIL ORDER No. 770

ORDER ON:

**CONSTANCE HOAG'S MOTION FOR
RECONSIDERATION OF COUNCIL
ORDER NO. 768**

**and
MOTION FOR RECONSIDERATION OF
ORDER 768 BY PARTIES NW ENERGY
COALITION AND WASHINGTON
ENVIRONMENTAL COUNCIL; WHATCOM
COUNTY; AND COUNSEL FOR THE
ENVIRONMENT**

**and
JOINT MOTION FOR RECONSIDERATION
OF AIR OFFSET RECOMMENDATION**

NATURE OF THE PROCEEDINGS: This matter involves the Second Revised Application by Sumas Energy 2, Inc. (Applicant or SE2) for certification to build and operate the Sumas Energy 2 Generation Facility (S2GF) in the City of Sumas, Washington.

PROCEDURAL SETTING: The procedural history regarding this application and adjudication is explained in detail in Council Order No. 768 that was announced at open public meeting on May 24, 2002, and served on all parties on May 28, 2002. Council Order No. 768 recommends that the Governor approve the Second Revised Application subject to conditions set out in that Order and the accompanying Draft Site Certification Agreement.

On June 7, 2002, the Energy Facility Site Evaluation Council (EFSEC or Council) received three petitions for reconsideration of Order No. 768: Constance Hoag's Motion for Reconsideration of Council Order No. 768; Motion for Reconsideration of Order 768 by Parties NW Energy Coalition and Washington Environmental Council, Whatcom County, and Counsel for the Environment; and Joint Motion for Reconsideration of Air Offset Recommendation from Whatcom County, the City of Abbotsford and the Counsel for the Environment. On June 14, 2002, the Council received SE2's Response to the Motions for Reconsideration. The Council has met and considered the motions and response.

DISPOSITION: Pursuant to WAC 463-30-335 and RCW 34.05.470, the Council has considered the above described motions for reconsideration. The Council finds and concludes that the motions do not raise any factual or legal arguments that the Council has not already heard during the adjudication and in post-hearing briefs, deliberated upon, and discussed in Order No. 768 and the appended Draft Site Certification Agreement. No basis has been provided to justify any changes in the Council's findings, conclusions, or recommendation. Hence, the Council denies the motions for reconsideration.

ORDER

THE COUNCIL ORDERS That the three motions for reconsideration: Constance Hoag's Motion for Reconsideration of Council Order No. 768; Motion for Reconsideration of Order 768 by Parties NW Energy Coalition and Washington Environmental Council, Whatcom County, and Counsel for the Environment; and Joint Motion for Reconsideration of Air Offset Recommendation are denied.

DATED at Olympia, Washington and effective on this _19th___ day of June, 2002.

WASHINGTON ENERGY FACILITY SITE EVALUATION COUNCIL

_____/s/_____
James Luce, Chair
Energy Facility Site Evaluation Council