

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

In the Matter of  
Docket No. EF-210011

Scout Clean Energy, LLC, for  
Horse Heaven Wind Farm, LLC,  
Applicant

**COUNCIL ORDER NO. 894**

ORDER DENYING APPLICANT'S  
PETITION FOR RECONSIDERATION  
AND AUTHORIZING PETITIONS TO  
RECONSIDER AMENDED DRAFT  
AGREEMENT

**PROCEDURAL BACKGROUND**

- 1 **On April 29, 2024**, the Energy Facility Site Evaluation Council (Council) forwarded its Report to the Governor on Application Docket No. EF-220011, recommending approval of the Horse Heaven Wind Farm Project (Recommendation), and a draft Site Certification Agreement (draft SCA) to the Governor.
- 2 **On May 20, 2024**, the Applicant, Scout Clean Energy, LLC, filed a petition for reconsideration of the Council's Recommendation as authorized by WAC 463-30-335.
- 3 **On May 23, 2024**, Governor Jay Inslee issued a letter to Council Chair Kathleen Drew directing the Council to reconsider certain aspects of the draft SCA.
- 4 **On June 3, 2024**, the Council received answers to Scout's petition for reconsideration from Benton County, the Yakama Nation, and Tri-Cities C.A.R.E.S.
- 5 In accordance with RCW 80.50.100(3)(b), in response to the Governor's direction to reconsider certain aspects of the draft SCA, the Council did reconsider such aspects of the agreement by reviewing the existing record of the application, considering materials prepared by EFSEC Staff and deliberating at open meetings on June 20, July 17, August 29, and September 13, 2024.
- 6 **On September 17, 2024**, the Council resubmitted an amended draft SCA to the Governor incorporating amendments it deemed appropriate in response to the Governor's direction to reconsideration.

**ORDER**

In accordance with the Administrative Procedure Act, RCW 34.05.470(4), the Council hereby denies as moot the Applicant's May 20, 2024, petition for reconsideration of the Council's April 29, 2024, Recommendation. That Recommendation has been superseded by the terms of the amended draft SCA that was approved by the Council for submission to the Governor on September 13, 2024.

The Applicant and the other parties to the adjudicative hearings may file petitions for reconsideration of the amended draft SCA within 20 days of service of that document. If any such petition for reconsideration is filed, the deadline for answers is 14 days after the date of service of each such petition. The formatting of the petitions shall be governed by WAC 463-30-120 and shall be limited to 30 pages.

DATED and effective at Olympia, Washington, on the 17<sup>th</sup> day of September, 2024

WASHINGTON ENERGY FACILITY SITE  
EVALUATION COUNCIL

A handwritten signature in cursive script, appearing to read "Kathleen Drew", is written over a horizontal line.

Kathleen Drew, EFSEC Chair