

**Energy Facility Siting Council  
Teleconference Meeting Minutes  
625 Marion St. NE, Conference Room F  
Salem, OR 97301  
February 4, 2010**

**Energy Facility Siting Council**

Bob Shiprack, Chair – Present  
Martha Dibblee, Vice Chair – Present by phone  
Lori Brogoitti – Present by phone  
Michael Haglund – Present by phone  
Jacob Polvi - Absent  
Bryan Wolfe – Present by phone  
Cheri Davis - Absent

**Oregon Department of Energy:**

Tom Stoops, Council Secretary  
Adam Bless, Project Officer  
Sue Oliver, Hermiston Project Officer – by phone  
John White, Project Officer  
Meiko Kristiansen, Administrative Assistant

**Oregon Department of Justice:**

Janet L. Prewitt, Assistant Attorney General  
Carolyn Wade  
Lore Bensell

Chair Bob Shiprack called the meeting to order at 9:04am and roll was taken.

**I. Action Item:**

**A. Council Approval of November 20, 2009 EFSC Meeting minutes**

Motion to approve November 20, 2009 EFSC meeting minutes by Martha Dibblee, seconded by Lori Brogoitti. Motion passed.

**B. Klamath Falls Bioenergy Notice of Intent and Application for Site Certificate: Council approval to contract with Golder Associates to Review**

Martha Dibblee made a motion to approve Golder Associates contract, seconded by Bryan Wolfe. Motion passed.

**C. Pacific Ethanol Bankruptcy LOC Non-Renewal: Council review of Interim Agreement during bankruptcy proceeding**

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Jan Prewitt explains the Pacific Ethanol Bankruptcy Letter of Credit Non-Renewal. Carolyn Wade, DOJ adds that \$27,000,000.00 was offered by a group of lenders. An LOC from a new lender is required. A proposal can be made only after the deadline was established and a lien offered to the state IF there is a default.

Lori Brogoitti asked if the lenders will fight the lien. Carolyn explained that the lenders have already agreed to the lien.

Bryan Wolfe asked if this hasn't been in default since September. Carolyn explained that the Timeline was established in December.

Lori's next question was if this would be completed by the March meeting. Carolyn stated that it would probably not be done by then.

There were a few concerns about damage to the site, and assurances that damages would be covered. Bob Shiprack noted that the facility is not truly uncooperative.

Bryan Wolfe made a motion to approve Interim Agreement with Pacific Ethanol during bankruptcy proceedings, Lori Brogoitti seconded. Motion passed.

**Council will meet on March 12. Teleconference meeting adjourned.**