

May 29, 2020

To: Parties currently registered on Proceeding 25018

**BHE Canada Rattlesnake G.P. Inc.
Rattlesnake Ridge Wind Power Project
Proceeding 25018
Applications 25018-A001 to 25018-A008**

Ruling on standing

1. The Commission must hold a hearing if persons who have filed a statement of intent to participate in Proceeding 25018 have demonstrated that they have rights that may be “directly and adversely affected” by the Commission’s decision. Such a person may participate fully in the hearing, including giving evidence, questioning of witnesses, and providing argument. This permission to participate is referred to as standing. The Commission previously determined that Dianne Chute and Douglas Zorn, Rodney and Conny Gechter, Ralph Gechter and Dwayne and Eleanor Gechter have standing in Proceeding 25018.
2. Subsequently, BHE Canada Rattlesnake G.P. Inc. (BHE) submitted an amendment to its applications, including the introduction of an alternate location for the proposed Rattlesnake Ridge 719S Substation and an alternate route for proposed Transmission Line 879AL. As a result of this submission, Calvin and Angela Lunseth filed a statement of intent to participate with the Commission.
3. Calvin and Angela Lunseth stated that they are the registered landowners for both the preferred and alternate substation locations. The Lunseths indicated that the alternate location for the substation and transmission line would negatively impact them and their farming operations on their land. In particular, the Lunseths expressed concern regarding the ability to utilize their land for farming operations, and also noted their concerns regarding wildlife and the environment at the alternate substation location.
4. The Commission has authorized me to communicate its decision on standing.

Ruling

5. The Commission is satisfied that Calvin and Angela Lunseth, as the registered landowners of the proposed and alternate substation sites, have demonstrated that they have legal rights that may be directly and adversely affected by the Commission’s decision on the applications.
6. The Commission notes that the submission deadline for Proceeding 25018 has passed, however, as the submission from the Lunseths arose due to BHE’s application amendment, the Commission has determined that the Lunseths should be allowed to participate in the proceeding.

7. The Commission has determined that the scope of the Lunseths' participation will be limited to matters arising from placement of the substation and transmission line, and will not extend to the wind power plant project.

8. Although the hearing process for Proceeding 25018 is currently ongoing, the Commission has yet to determine a complete hearing timeline. Based on the submission from Calvin and Angela Lunseth it is unclear whether they intend to ask information requests of the parties registered on Proceeding 25018, present further evidence to support their position, or participate in any hearing held in the proceeding.

9. In order for the Commission to ensure the most time efficient process schedule while still allowing parties a procedurally fair opportunity to present their evidence, the Commission would like to confirm whether Calvin and Angela Lunseth intend to:

- ask information requests to test the evidence filed by the parties
- file evidence in addition to the submission already filed in support of their position
- participate in any hearing held by the Commission

10. The Commission requests that Calvin and Angela Lunseth advise the Commission of their intention on or before June 5, 2020.

11. Should you have any questions, please contact the undersigned at 403-592-4389 or by email at nicholas.sawkiw@auc.ab.ca.

Yours truly,

Nicholas Sawkiw
Commission Counsel