

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF BRANDY L.)
WREATH, DIRECTOR OF THE)
PUBLIC UTILITY DIVISION OF THE)
OKLAHOMA CORPORATION) CAUSE NO. 202100090
COMMISSION, FOR A SHOW CAUSE)
HEARING AGAINST OLYMPIA)
RENEWABLE PLATFORM, LLC)



SHOW CAUSE APPLICATION

COMES NOW Brandy L. Wreath, Director of the Public Utility Division (“PUD” or “Applicant”) of the Oklahoma Corporation Commission (“Commission”), by and through the undersigned counsel, and respectfully alleges and states:

I. PARTIES:

Applicant is Brandy L. Wreath, Director of the Commission’s PUD. Applicant is located at 2101 North Lincoln Boulevard, Suite 580, Oklahoma City, Oklahoma 73105.

Respondent is Olympia Renewable Platform, LLC (“Respondent” or “wind energy facility owner”), located at 810 Northeast 6th Street, Guymon, Oklahoma 73942 and 320 Decker Drive, Suite 100, Irving, Texas 75062.

II. ALLEGATIONS OF FACT

1. The Oklahoma Legislature established the Oklahoma Wind Energy Development Act (HB 2973), effective on January 1, 2011. In this law, the Legislature found that, “[w]ind energy facilities, if abandoned or not properly maintained, could pose a hazard to public health, safety, and welfare through mechanical failures, electrical hazards, or the release of hazardous substances.” *17 O.S. § 160.12(5)*.
2. The Legislature charged the Commission with the authority “[t]o protect the public against health and safety hazards...for the safe decommissioning of wind energy facilities...at the end of their useful life.” *17 O.S. § 160.12(6)*.
3. The Respondent is the owner and operator of a wind energy facility, as defined in 17 O.S. § 160.13(9). The wind energy facility at issue in this Cause comprises an area that includes wind turbine sites along both sides of the Oklahoma and Texas border near Hitchland, Texas.
4. In its current state, the wind energy facility is in a state of disrepair and poses a hazard to public health, safety, and welfare, *see Exhibit 1*. The facility appears to be at the end of the useful life and needs to be decommissioned in compliance with 17 O.S. § 160.14 and OAC 165:35-45-7.

5. Applicant requests evidence of financial security to cover the anticipated costs of decommissioning the facility (OAC 165:25-45-7(a)).
6. The Respondent failed to submit the annual report before March 1, as required by 17 O.S. § 160.18 and OAC 165:35-45-3. PUD has not received an annual report since at least 2017 and has made numerous attempts to reach the owner and operator with no success.
7. The Respondent failed to pay the wind energy facility annual fee of \$2,000.00 before March 1, in violation of 17 O.S. § 160.22 and OAC 165:5-3-42(a). Further, the Respondent failed to pay the fee in 2020 and 2021.
8. The Applicant was unable to find a record showing that the Respondent is registered with the Oklahoma Secretary of State. Applicant requests that the Respondent register with the Oklahoma Secretary of State and/or provide the proper information showing that it is eligible to do business in Oklahoma.

III. LEGAL AUTHORITY

The Commission has jurisdiction over this Cause and the Respondent pursuant to Article IX, Sections 18 and 19 of the Oklahoma Constitution, 17 O.S. §§ 160.11 *et seq.*, and OAC 165:35-45-1 *et seq.*

IV. RELIEF SOUGHT

PUD requests that the Respondent be required to appear and show cause why it should not be found in violation and contempt of the above listed statutes and rules, and explain how it will repair or decommission the wind energy facility. As part of this Show Cause Application, PUD requests to review the books and records of the Respondent. PUD also requests any relief that the Commission deems fair, reasonable, necessary, proper, and equitable, whether or not specifically requested in this Application.

Respectfully Submitted,



Jeff W. Kline, OBA #31119

Michael Velez, OBA #19963

Kyle Vazquez, OBA #31252

Judicial & Legislative Services Division

OKLAHOMA CORPORATION COMMISSION

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VERIFICATION

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA) ss

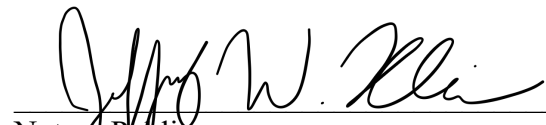
As the Director of the Public Utility Division of the Oklahoma Corporation, I hereby certify that the information contained in the above and foregoing *Show Cause Application* is true and correct to the best of my knowledge and belief.



Brandy L. Wreath, Director
Public Utility Division
OKLAHOMA CORPORATION COMMISSION

Subscribed and sworn to before me this 24th day of May, 2021.





Notary Public

CERTIFICATE OF MAILING

This is to certify that on the 24th day of May, 2021, a true and correct copy of the above and foregoing *Show Cause Application* was sent via electronic mail and/or United States Postal Service Certified Mail, postage fully prepaid thereon to the following interested parties:

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A. Chase Snodgrass, Assistant Attorney General
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Amanda Payne

MARY SANDERS, Legal Secretary
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