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State Bar No. 12293

October 30, 2019

VIA HAND DELIVERY

Connie Graley, Executive Secretary
Public Service Commission of WV
201 Brooks Street
Charleston, West Virginia 25323

03:55 PM OCT 30 2019 EXEC SEC DIV

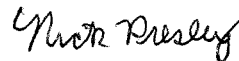
Re: Case No. 19-0890-E-CS-CN
Longview Power II, LLC, and
Longview Renewable Power, LLC
Joint Application of Longview Power II, LLC and
Longview Renewable Power, LLC to Authorize the
Construction and Operation of Two Wholesale Electric
Generating Facilities and One High-Voltage
Electric Transmission Line in Monongalia County.

Dear Ms. Graley:

Enclosed is an original and twelve copies of a Joint Motion to Toll Statutory Time Intervals for filing by Longview Power II, LLC and Longview Renewable Power, LLC.

Please file this letter and its enclosure and provide the twelve extra copies to the appropriate parties at the Commission. We also ask that you date stamp the extra copy provided and return it with our messenger. As always, we appreciate your assistance in this matter.

Sincerely yours,



Nicklaus A. Presley

cc: Service List

PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

CASE NO. 19-0890-E-CS-CN

03:55 PM OCT 30 2019 EXEC SEC DIV

LONGVIEW POWER II, LLC, and
LONGVIEW RENEWABLE POWER, LLC,
limited liability companies.

Joint Application for a Siting Certificate and a Certificate of Convenience and Necessity to authorize the construction and operation of two electric wholesale generating facilities and one high-voltage electric transmission line in Monongalia County.

JOINT MOTION TO TOLL STATUTORY TIME INTERVALS

Longview Power II, LLC and Longview Renewable Power, LLC (together, the “Companies”) move the Commission to toll certain scheduling intervals established in W.Va. Code §24-2-11a(c) and (d).

1. On September 12, 2019, the Companies filed a Joint Application requesting Commission approval of two siting certificates under W.Va. Code §24-2-11c and a certificate of public convenience and necessity under W.Va. Code §24-2-11a. For reasons of efficiency and simplicity, the Companies included both requests in the Joint Application so that the Commission could process them in a single proceeding and under a single docket number.

2. W.Va. Code §24-2-11a and W.Va. Code §24-2-11c differ with respect to procedural deadlines for the scheduling of the hearing and the issuance of a final order. Specifically, Section 11a(c) provides that a hearing is to occur within sixty days of the publication of notice of the filing, and Section 11a(d) sets the Commission’s decision deadline not later than sixty days from the filing of the application or, if a hearing is held, not more than ninety days from the submission of briefs or oral argument. Under the typical processing of a

siting certificate case under Section 11c, the Section 11a(c) and (d) intervals will be difficult to achieve.

3. The Companies suggest that the statutory intervals in Section 11a(c) and (d) are primarily for the benefit of the applicant, and that under appropriate circumstances the applicant should be able to waive the benefit of those provisions by volunteering to “toll” the procedural intervals associated with them. In this case, doing so would facilitate the simultaneous efficient processing of both the siting certificate and certificate of public convenience and necessity components of the Joint Application. Accordingly, the Companies are willing to waive the benefit of those provisions, and they volunteer to “toll” the time intervals associated with them. Therefore, the Companies request that the Commission toll the time intervals associated with the following provisions:

- i. the provision of W.Va. Code §24-2-11a(c) requiring that the Commission “set the matter for hearing on a date within sixty days from completion of the publication” if a timely request for hearing is received; and
- ii. the provision of W.Va. Code §24-2-11a(d) setting the Commission’s decision deadline “[w]ithin sixty days after the filing of the application, or if hearing is held on the application, within ninety days after final submission on oral argument or brief, . . .”

Tolling the procedural intervals arising from these statutory provisions would allow the scheduling of the certificate of public convenience and necessity component of the Joint Application to coincide with the timing of the siting certificate component, resulting in efficient processing of the Joint Application.

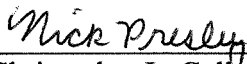
4. No party will be prejudiced or otherwise harmed by the relief requested in this motion.

For these reasons, the Companies respectfully request that the Commission waive the portions of W.Va. Code §24-2-11a(c) and (d) described above.

Dated this 30th day of October, 2019.

Longview Power II, LLC and Longview
Renewable Power, LLC

By Counsel



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PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON

CASE NO. 19-0890-E-CS-CN

LONGVIEW POWER II, LLC, and
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Joint Application of Longview Power II, LLC and
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Generating Facilities and One High-Voltage
Electric Transmission Line in Monongalia County

CERTIFICATE OF SERVICE

I certify service of the attached pleading on October 30, 2019, by United States First

Class Mail, postage prepaid, as addressed:

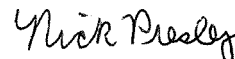
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