

DOCKETED	
Docket Number:	24-OPT-02
Project Title:	Compass Energy Storage Project
TN #:	264091
Document Title:	Jeanne Marie Colby Comments - FAILURE TO SHOW NET POSITIVE ECONOMIC BENEFIT, PUBIC CONVENIENCE AND NECESSITY
Description:	N/A
Filer:	System
Organization:	Jeanne Marie Colby
Submitter Role:	Public
Submission Date:	6/6/2025 3:20:35 PM
Docketed Date:	6/6/2025

Comment Received From: Jeanne Marie Colby

Submitted On: 6/6/2025

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FAILURE TO SHOW NET POSITIVE ECONOMIC BENEFIT, PUBLIC CONVENIENCE AND NECESSITY

RE: Compass Energy Storage Project NOP Comments

Dear California Energy Commissioners:

This is a public comment on scoping for the Compass Energy project. I am a resident of Morro Bay, and have been following the news of the devastating BESS fire at Moss Landing. Residents as far as 30 miles from that fire reported illness, and there are now over 100 plaintiffs in 3 lawsuits seeking redress for the harm to them. A BESS fire at the proposed location for the Compass project would be devastating due to the dense population and proximity to I-5 and the railroad.

First, in order to even accept an application pursuant to AB 205, the applicant for a BESS project must show there is a "NET" positive economic community benefit from the project. The term "net" indicates there has been an analysis of risks v. benefits. My review of Appendix 1C, the proposed community benefits, indicates there has not been such an analysis; thus it is premature to go forward with the EIR. To do an effective cost/benefit analysis requires a review of the consequences of a fire such as what happened in Moss Landing, Escondido, or Otay Mesa as if it happened in San Juan Capistrano, and weighing that against the benefits to the community. This has not been done, but it should be a threshold that is met before the EIR process begins. Weighing community benefits (financial support to four nonprofits) against the devastating impacts of a toxic fire with poisonous gasses and heavy metals; I do not see how the project would survive that analysis. There is no price you can pay to risk public health.

Second, since the project would fail to conform with a local moratorium, in order to proceed the project must be "required for public convenience and necessity" with no prudent or feasible alternatives. Without that preliminary showing that these requirements are met, AB 205 should not be available to the applicant.

From your website, CEC certification of a project application requires:

• An applicant has entered into one or more legally binding and enforceable agreements with, or that benefit, a coalition of one or more community-based organizations.

• An applicant will use a skilled and trained workforce and pay construction workers at least prevailing wages, subject to statutory enforcement, or a project labor agreement.

â€¢ The construction or operation of the facility will have an overall net positive economic benefit to the local government that would have had permitting authority over the site and related facility.

â€¢ The project will comply with all applicable laws, ordinances, regulations, and standards (LORS), or CEC must find that despite a nonconformance with state, regional, or local LORS, the project is required for public convenience and necessity, and there are not more prudent and feasible means of achieving public convenience and necessity. In making the determination, the CEC considers the impacts of the facility on the environment, consumer benefits and electric system reliability, among other factors.

â€¢ Any significant effects of the project must be avoided or substantially lessened, or the CEC must adopt a statement of overriding considerations for significant effects found infeasible to avoid or mitigate.

Specifically, the CEC should hold a separate hearing on the suitability of the Compass project application for CEC Opt-In review, following the above criteria from your website, before any substantive environmental review. It is my view that once the risks are properly evaluated, any benefits to the local community will be outweighed by the potentially devastating impacts of a lithium-ion battery fire, which will destroy the community. Finally, the project location for energy storage is definitely not required for public convenience and necessity.

Thank you,

Jeanne M Colby