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| Project Title: | Puente Power Project |
| TN #: | 214617 |
| Document Title: | Environmental Defense Center - Intervenors Status Report |
| Description: | Status Report |
| Filer: | Alicia Roessler |
| Organization: | Environmental Defense Center |
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December 1, 2016

Submitted via e-filing

Mr. Robert Oglesby
California Energy Commission
1516 Ninth Street
Sacramento, CA 95818

Re: Puente Power Project (15-AFC-01) Status Report

In accordance with the November 18, 2016, Revised Committee Scheduling Order directing parties to identify obstacles in following the schedule, the following status report is submitted on behalf of Intervenors Environmental Coalition, Environmental Defense Center (“EDC”), and Sierra Club, Los Padres Chapter (collectively, “Environmental Intervenors”). Environmental Intervenors’ report addresses the following two issues.

First, Brian Segee, former Senior Attorney at EDC and lead counsel representing Environmental Intervenors filed a Notice of Substitution of Counsel on November 17, 2016, to request that I be added to the notice list and substituted in his place, yet; to date I have not received any notices of any documents filed, and only just became aware of the Revised Scheduling Order yesterday, November 30, 2016. We ask that this error will be remedied as soon as possible. We also ask that EDC’s Chief Counsel, Linda Krop, also be added as Counsel for Environmental Intervenors and added to the notice list. Linda Krop prefers email notice be addressed to her at lkrop@environmentaldefensecenter.org.

Second, the Revised Scheduling Order, without explanation, poses an unduly burdensome and restrictive timeframe that all parties have objected to except the Applicant, NRG. For example, the Revised Schedule only allows 3 business days between opening testimony on Friday, January 13, 2017, and Rebuttal Testimony on Friday, January 20, 2017, given the fact that a federal holiday, Martin Luther King Day, falls on Monday, January 16, 2017. Also, holding the workshop just 3 weeks after release of the FSA immediately following the holiday break severely limits the parties’ and their experts’ ability to review the FSA, and

allow for any meaningful participation at the workshop for the parties to “discuss areas of agreement and disagreement” as directed by the Revised Scheduling Order. Environmental Intervenors support a more reasonable schedule proposed by the City of Oxnard, and the motion filed by California Environmental Justice Alliance, that allows for six weeks after FSA for filing of opening testimony, three weeks after for filing rebuttal testimony, prehearing conference statements, and exhibit lists, and four weeks from rebuttal testimony to evidentiary hearings. In its current form the Revised Scheduling Order results in an inequitable burden upon Environmental Intervenors and other Parties representing the local community.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Alicia Roessler". The signature is written in a cursive, flowing style.

Alicia Roessler,
Staff Attorney