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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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APPLICATION FOR CERFITICATION FOR THE:

PUENTE POWER PROJECT

Docket No. 15-AFC-01

MOTION TO MODIFY DUE DATE FOR PREHEARING CONFERENCE STATEMENT AND PREHEARING CONFERENCE DATE AND LOCATION

I. Summary

California Energy Commission (Energy Commission) Staff submits this *Motion to Modify Due Date for Prehearing Conference Statement and Prehearing Conference Date and Location* for consideration by the Committee for Application for Certification (AFC) for the Puente Power Project (Puente or project) to allow sufficient time for the parties to review rebuttal testimony and file a realistic and useful Prehearing Conference Statement.

II. Background

On January 4, 2017, Paul Kramer, Hearing Office, docketed a memorandum, *Updated Proceeding Dates and Deadlines and Committee Requests for Information* (Hearing Officer Memo). In the Hearing Officer Memo, the due date for rebuttal testimony was moved from January 20, 2017 to January 24, 2017, and the due date for Prehearing Conference Statements remained on January 25, 2017. Furthermore, the Prehearing Conference was moved from January 31, 2017 to January 27, 2017.

III. Discussion

In general, the Prehearing Conference Statement and Conference are designed to provide detailed information to assist the Committee prior to the Evidentiary Hearing in identifying: 1) the incomplete or disputed issues in the case; 2) the witnesses for each technical topic for each party; 3) the amount of time estimated by each party for direct and cross-examination; and 4) exhibit lists.

In the Puente AFC proceeding, there are currently eight parties, including Staff and Applicant. The proceeding has engendered substantial public interest evident by the hundreds of participants at each public event. Staff received and responded to approximately 1,000 pages of comments on the Preliminary Staff Assessment. Subsequently, Staff filed to the docket a nearly 1,500-page Final Staff Assessment. The Final Staff Assessment has again resulted in significant comments from the public. However, a Staff workshop to discuss the staff assessment was cut short, preventing Staff from fully exploring areas of continued differences with the applicant, interveners and the public.

The Hearing Officer Memo provides each party only one business day¹ to review seven other parties' rebuttal testimonies to determine the disputed issues, the witnesses needed for direct examination, the witnesses desired for cross-examination and the amount of time needed for each. In order to provide a meaningful Prehearing Conference Statement based on a thorough review of the parties' testimony, Staff requests the Committee modify the schedule to allow the parties to file Prehearing Conference Statements on January 27, 2017, or later.

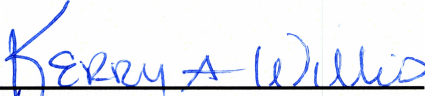
In addition, Staff requests that the Prehearing Conference be moved to the week of January 30, 2017, and be held in Sacramento. The Prehearing Conference is designed for the Committee to work with the parties to set a realistic schedule of the evidentiary hearing. Without sufficient time to review rebuttal testimony, the schedules presented will be less accurate, and major issues may not be identified, and the hearings are likely to be extended. Holding the Conference in Sacramento would allow the Committee flexibility to accommodate busy schedules because 1-2 days travel would not be required.

IV. Conclusion

For the above-stated reasons, Staff respectfully requests the Committee grant Staff's motion to modify the due date of the Prehearing Conference Statement, and modify the schedule and location of the Prehearing Conference.

Date: January 13, 2017

Respectfully submitted,


KERRY A. WILLIS
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Attorneys for Energy Commission
Staff

¹ In the Hidden Hills proceeding, which had similar public and intervenor participation, the Prehearing Conference Statements were due one week after rebuttal testimony was due, and the Prehearing Conference was scheduled one week following (TN#68965).