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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:) Docket No. 15-AFC-01
)
APPLICATION FOR CERTIFICATION FOR) APPLICANT'S RESPONSE TO
THE PUENTE POWER PROJECT) REQUESTS TO FURTHER MODIFY
) SCHEDULE
)
_____)

Applicant hereby responds to the most recent requests from the California Energy Commission (CEC) staff and interveners to further modify the schedule of proceedings in this matter.

On January 13, 2017, CEC staff filed a *Motion to Modify Due Date for Prehearing Conference Statement and Prehearing Conference Date and Location* (TN #215335) requesting that the deadline for filing Prehearing Conference Statements be moved from January 25, 2017 to January 27, 2017 (or later), and that the Prehearing Conference be rescheduled from January 27, 2017 to the week of January 30, 2017 and that it be held in Sacramento. Applicant does not oppose certain changes within the ranges proposed by CEC staff, provided the changes do not affect the ability to commence Evidentiary Hearings as scheduled on February 7, 2017. Specifically, Applicant does not oppose changing the deadline for filing Prehearing Conference Statements from January 25, 2017 to January 27, 2017. Nor does Applicant oppose rescheduling the Prehearing Conference to January 30 or 31, 2017 and holding it in Sacramento. These changes would help address the concerns expressed by CEC staff, and would not affect the ability to commence Evidentiary Hearings on February 7, 2017.

On January 12, 2017, Intervenors filed a *Joint Request to Modify Schedule* (TN #215273) proposing two alternative schedules. Intervenors' Alternative Schedule #1 calls for another FSA Workshop sometime between January 30, 2017 and February 17, 2017, and depending on the date of the FSA Workshop, would delay commencement of Evidentiary Hearing anywhere from three to five weeks beyond the current schedule. Applicant is strongly opposed to Intervenors' Alternative Schedule #1, which is premised on the assertion that additional time is required between release of the Final Staff Assessment (FSA) and filing of Opening Testimony to "enable all parties to narrow areas of disagreement before developing testimony and beginning

evidentiary hearings.” Applicant notes that in a filing on November 10, 2016, Intervener City of Oxnard supported CEC staff’s request to delay publication of the FSA by three weeks, and requested a period of six weeks between publication of the FSA and filing of Opening Testimony (TN #214456). Intervener CEJA supported that schedule in a filing made the same day (TN #214467). The Committee issued a Revised Scheduling Order (TN #214530) and a subsequent modification (TN #215157) which provided the interveners precisely what they were asking for – publication of the FSA was delayed from November 18, 2016 to December 8, 2016, and the deadline for Opening Testimony was set for six weeks later on January 18, 2017. The latest request from interveners is consistent with a pattern of requesting and obtaining delays to the schedule (often over the objection of Applicant), only to return later to request still further delays. Furthermore, the areas of disagreement between the parties have been well-known for quite some time, and further delays are unlikely to produce resolutions. At some point, the issues must be brought before the Committee for consideration.

Interveners’ Alternative Schedule #2 calls for extending the deadline for filing Prehearing Conference Statements from January 25, 2017 to January 27, 2017, and rescheduling the Prehearing Conference from January 27, 2017 to January 30, 2017. This is consistent with the CEC staff motion described above, and Applicant does not oppose this request provided that it does not interfere with the ability to commence Evidentiary Hearings on February 7, 2017.

DATED: January 16, 2017

Respectfully submitted,

/s/ Michael J. Carroll

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