

DOCKETED

Docket Number:	15-AFC-02
Project Title:	Mission Rock Energy Center
TN #:	223099
Document Title:	Order Extending Time To Rule On Notice Of Suspension And Motion To Terminate
Description:	N/A
Filer:	Liza Lopez
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	3/30/2018 1:27:26 PM
Docketed Date:	3/30/2018



Before the Energy Resources Conservation and Development
Commission of the State of California
1516 Ninth Street, Sacramento, CA 95814
1-800-822-6228 – www.energy.ca.gov

APPLICATION FOR CERTIFICATION FOR THE:

MISSION ROCK ENERGY CENTER

Docket No. 15-AFC-02

ORDER EXTENDING TIME TO RULE ON NOTICE OF SUSPENSION AND MOTION TO TERMINATE

Background

On December 30, 2015, Mission Rock Energy Center, LLC (Applicant) submitted an Application for Certification (Application) to the California Energy Commission (Energy Commission) seeking permission to construct and operate a 275-megawatt natural-gas-fired power generation facility, the Mission Rock Energy Center (Proposed Project).¹

On March 9, 2018, Applicant filed a “Notice of Suspension of Application for Certification” (Proposed Suspension). Applicant cited Southern California Edison’s recently-issued Request for Offers that “does not appear to present an opportunity for the Mission Rock Energy Center, as presently before the Commission, to participate.” Accordingly, the Applicant requested a suspension of the proceedings on the Proposed Project, but did not specify the length of any such suspension.²

On March 15, 2018, the Hearing Officer filed a memorandum, indicating that the Committee³ was treating the Proposed Suspension as a motion under California Code of Regulations, title 20, section 1211.5. The memorandum requested that Applicant provide the length of time of any such suspension on or before March 19, 2018. All other interested persons and the parties were requested to comment on the Proposed Suspension no later than March 23, 2018.⁴

Applicant provided a timely response that set forth three alternatives to measure the extension. None of these alternatives provided a firm date for the end of any

¹ The Application can be found at <http://www.energy.ca.gov/sitingcases/missionrock/documents/afc.php>.

² TN 222943.

³ The Energy Commission appointed a committee consisting of Karen Douglas, Commissioner and Presiding Member, and Janea A. Scott, Commissioner and Associate Member at its May 17, 2018 business meeting (TN 211537).

⁴ TN 222975.

suspension, but instead set forth performance standards under which further processing of the Application could be restarted.⁵

Following Applicant's clarification, Energy Commission staff (Staff) filed its response to the Proposed Suspension, stating that Staff did not object to Applicant's response.⁶

On March 23, 2018, Intervenor Wishtoyo Foundation also filed a response to the Proposed Suspension and Applicant's clarification. That response not only requested that the Committee deny the requested suspension, but also terminate the proceedings.⁷ Mary Ann Krause filed comments on behalf of the Santa Paula Alliance supporting the Wishtoyo Foundation's request for termination.⁸ Thomas Koff also voiced support for terminating the Application.⁹

Discussion

Under the Energy Commission's regulations, rulings on motions are to be issued within 21 days of the filing of that motion UNLESS the Presiding Member orders otherwise.¹⁰ The Committee would thus be required to act on the Proposed Suspension no later than March 30, 2018.

In this case, the Presiding Member is extending the time to act on the Proposed Suspension. In addition, the Presiding Member will be treating the language in Intervenor Wishtoyo Foundation's filing as a formal motion to terminate (Motion to Terminate) under the Energy Commission's regulations.¹¹

In order to act efficiently on the Proposed Suspension and the Motion to Terminate, the Presiding Member hereby **ORDERS** that the Committee shall have until May 31, 2018, to rule on the Proposed Suspension and the Motion to Terminate. The Presiding Member **FURTHER ORDERS** that any party or persons desiring to submit responses to the Motion to Terminate shall do so **no later than April 9, 2018**.

Public Participation

Information concerning the status of the Proposed Project, as well as notices and other relevant documents, may be viewed on the Energy Commission's web page at:

www.energy.ca.gov/sitingcases/missionrock/

Members of the public are welcome to attend and offer oral or written comments throughout the proceedings. It is not necessary to be an intervenor to participate in the public process. Written comments may be submitted electronically by visiting the Energy Commission's website at the above address and clicking on the "Submit e-

⁵ TN 222999.

⁶ TN 223033.

⁷ TN 223032-1.

⁸ TN 223039.

⁹ TN 223036.

¹⁰ Cal. Code Regs., tit. 20, §1211.5.

¹¹ Cal. Code Regs., tit. 20, §1720.2.

Comment” link in the “Original Proceeding” box. Otherwise, written comments may be submitted by e-mailing them to docket@energy.ca.gov, or by mailing them by U.S. Mail to:

California Energy Commission - Docket Unit
Docket No. 15-AFC-02
1516 Ninth Street, MS-4
Sacramento, CA 95814

For all comments, please include the docket number and proceeding name (“15-AFC-02 Mission Rock Energy Center”) in the subject line and on the cover page.

PLEASE NOTE: Written and oral comments, attachments, and associated contact information (e.g., your address, phone, e-mail, etc.) become part of the viewable public record. Additionally, this information may become available via search engines, such as Google and Yahoo.

Public Adviser and Other Energy Commission Contacts

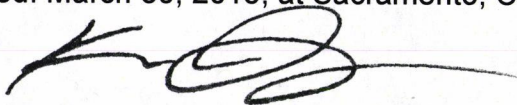
The Energy Commission’s Public Adviser’s Office provides the public with assistance in participating in Energy Commission proceedings. For assistance, please contact Alana Mathews, Public Adviser, by e-mail at PublicAdviser@energy.ca.gov or at (916) 654-4489, or toll free at (800) 822-6228.

Questions of a procedural nature should be directed to Susan Cochran, Hearing Officer, by e-mail at susan.cochran@energy.ca.gov or at (916) 654-3965.

Technical questions concerning the Proposed Project should be addressed to Mike Monasmith, Project Manager, by e-mail at mike.monasmith@energy.ca.gov or (916) 654-4894.

Media inquiries should be sent to the Media and Public Communications Office by e-mail at mediaoffice@energy.ca.gov or at (916) 654-4989.

Dated: March 30, 2018, at Sacramento, California



KAREN DOUGLAS
Commissioner and Presiding Member
Mission Rock Energy Center Committee