

DOCKETED

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VIA E-FILING

Carlsbad Energy Center Project (07-AFC-06C)
Karen Douglas, Commissioner and Presiding Member
Andrew McAllister, Commissioner and Associate Member
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Re: **Carlsbad Energy Center Project Petition to Amend (07-AFC-06C)
Status Report 4**

Dear Committee Members:

On October 30, 2014, the California Energy Commission's ("**CEC**") Carlsbad Amendments Committee docketed its Revised Committee Scheduling Order (the "**Revised Scheduling Order**") for the Petition to Amend (the "**PTA**") the Carlsbad Energy Center Project (07-AFC-06C) ("**CECP**"). Accordingly, Carlsbad Energy Center LLC ("**Project Owner**") submits this Status Report 4.

Schedule

Project Owner believes that, with the timely publication of the PSA, the PTA schedule of October 30 remains appropriate and correct. Thus, Project Owner respectfully requests that the Committee finalize, at the Status Conference, planned dates for the pre-hearing conference, written testimony and evidentiary hearings so that the parties can plan accordingly.

Comments to Preliminary Staff Assessment ("PSA")

Project Owner is currently preparing its comments to the PSA. According to the CEC's December 17, 2014 Request for Comments on the PSA, comments are due by January 21, 2015. Project Owner's comments will be submitted in accordance with this deadline.

CEC, Terramar, and Power of Vision Requests

On December 10, 2014, Project Owner filed revised Figures DR POV 5-2 and DR POV 5-3 reflecting the agreement by Project Owner to move two of the gen-tie transmission poles west and to a lower elevation.

On December 18, 2014, the Committee issued its decision denying Power of Vision's Petition to Compel Data Responses. In that decision the Committee directed Project Owner to "articulate specific standards regarding the necessary heights of poles and constraints... against placing the poles within the bermed area and reducing the heights of poles that cannot be placed in the bermed area." Project Owner anticipates filing fully responsive information by January 9, 2015.

On December 24, 2014, Terramar, intervenor in the CECP proceeding, filed a Motion to Delay the PSA Workshop Until February 2014. Project Owner is currently preparing a response opposing this request based, in part, on the fact that the schedule of events including those set forth in the Revised Scheduling Order and the events and deadlines set by CEC Staff in the issuance of the PSA satisfy applicable regulatory requirements, are fair and reasonable, and typical of the CEC process. Project Owner fully supports all existing deadlines and believes that compliance with such deadlines is necessary in order to keep the CECP proceeding moving forward at an efficient pace.

On December 29, 2014, Power of Vision, intervenor in the CECP proceeding, filed correspondence with the CEC requesting from Project Owner a fire access drawing for the currently proposed six generating units. Project Owner is currently evaluating this request and will promptly file a response.

Cultural Resources

Project Owner is working with CEC Staff's cultural resources specialists in preparation of the additional field work to be conducted on the site in furtherance of the cultural resources assessment for the PSA. Specifically, Project Owner has requested a cost proposal from its contractor to provide a backhoe and union-represented operator for the estimated 11 day assessment. In addition, Project Owner met with KSD/Poseidon Management, who currently occupy Tank 1 and 2 areas in support of the desalination plant construction, to determine whether areas of proposed excavations may be cleared to allow for the cultural resources assessment. Project Owner has determined that the proposed locations around Tank 1 will need to be slightly adjusted to allow for equipment movement within the area. Project Owner will continue to work with CEC Staff towards expeditious completion of the cultural resources work.

Conclusion

Project Owner continues to appreciate the hard work and diligence that CEC Staff is applying to the assessment of this PTA. Project Owner will continue cooperating with all parties while looking towards the timely completion of the CEC review of the PTA.

Locke Lord LLP

By: 

John McKinsey

Attorneys for Carlsbad Energy Center LLC