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August 23, 2012

MELISSA A. FOSTER  
Direct (916) 319-4673  
mafoster@stoel.com

**VIA EMAIL**

Ms. Felicia Miller, Project Manager  
California Energy Commission  
1516 Ninth Street, MS-2000  
Sacramento, CA 95814



**Re: Huntington Beach Energy Project (12-AFC-02)  
Correspondence to the California Coastal Commission**

Dear Ms. Miller:

On August 22, 2012, AES Southland Development, LLC sent the enclosed correspondence regarding the Huntington Beach Energy Project to Mr. Tom Luster of the California Coastal Commission. Applicant herein requests that the enclosed correspondence be added to the docket in this proceeding.

Very truly yours,

A handwritten signature in blue ink that reads "Melissa A. Foster".

Melissa A. Foster

MAF:jmw

Enclosure

cc: Proof of Service



AES Huntington Beach  
21730 Newland Street  
Huntington Beach, CA 92646  
tel 714-374-1421  
fax 714-374-1475

August 22, 2012

Tom Luster  
California Coastal Commission  
45 Fremont Street #2000  
San Francisco, CA 94105

VIA EMAIL: [Tom.Luster@coastal.ca.gov](mailto:Tom.Luster@coastal.ca.gov)

Dear Mr. Luster

I am writing in response to your letter of August 3, 2012 to Felicia Miller at the California Energy Commission (CEC), regarding the Huntington Beach Energy Project (HBEP). Specifically, I am writing to respond to your comment that *"...we recently initiated an investigation about possible LCP [Local Coastal Program] violations due to AES conducting grading and vegetation removal within areas of potential wetlands at the power plant site."* You also noted that *"...a site visit in July 2012 revealed that the site had been graded and vegetation removed [referring to alleged potential wetlands on the site]."*

AES has not, to my knowledge, directly, or through any of its subsidiaries, conducted any grading activities on the Huntington Beach Generating Station site. Since the late 1950's the previous owner of the Huntington Beach Generating Station, Southern California Edison, and AES have regularly conducted various site maintenance activities that include removal, pruning, or cutting vegetation. It may be that these routine maintenance activities have been confused with unauthorized vegetation removal in wetlands. There are also other entities acting on portions of the site no longer owned or controlled by AES. All activities by AES at the Huntington Beach Generating Station, including site maintenance, are conducted carefully in accordance with all applicable laws and regulations.

I also wish you to know that I am not aware of any Coastal Commission investigation regarding any activities on the Huntington Beach Generating Station site. I have not received any correspondence from you or your office regarding such a matter. I am confident that there is no need for such an investigation, but should you perceive the need to further pursue that course, please ensure I am informed and made aware of such action. I encourage you to communicate with more specificity regarding any concerns you or the Coastal Commission have regarding operations at the AES Huntington Beach Generating Station.

Communications regarding the proposed Huntington Beach Energy Project should be directed to the CEC in accordance with its service and notice lists for the Huntington Beach Energy Project proceeding.

The AES Corporation, through several different subsidiaries, including AES Huntington Beach, LLC, is committed to the safe and environmentally responsible production of clean and reliable energy for California.

Sincerely,  


**Weikko Wirta**  
**Chief Executive Manager**  
**AES Huntington Beach, LLC**

**CC: Felicia Miller, California Energy Commission**  
**John McKinsey, Stoel Rives LLP**  
**Stephen O'Kane, AES Southland Development, LLC**  
**Jennifer Didlo, AES Southland Development, LLC**



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  
HUNTINGTON BEACH ENERGY PROJECT**

**PROOF OF SERVICE  
(Revised 8/21/12)  
Docket No. 12-AFC-02**

**APPLICANT**

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**INTERESTED AGENCIES**

California ISO  
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[publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov)

\*indicates change

72301668.1 0043653-00005

DECLARATION OF SERVICE

I, Judith M. Warmuth, declare that on August 23, 2012, I served and filed a copy of the attached **Letter to Felicia Miller, CEC, dated August 23, 2012 enclosing correspondence to Tom Luster of California Coastal Commission.**

This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [http://www.energy.ca.gov/sitingcases/huntington\\_beach\\_energy/index.html](http://www.energy.ca.gov/sitingcases/huntington_beach_energy/index.html).

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked **"hard copy required"** or where no e-mail address is provided.

**AND**

**For filing with the Docket Unit at the Energy Commission:**

- by sending one electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

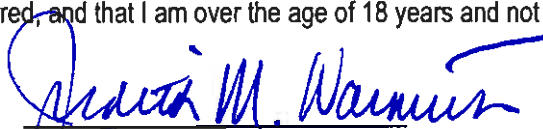
**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**  
Attn: Docket No. 12-AFC-02  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.ca.gov](mailto:docket@energy.ca.gov)

**OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:**

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission  
Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[michael.levy@energy.ca.gov](mailto:michael.levy@energy.ca.gov)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

  
\_\_\_\_\_  
JUDITH M. WARMUTH