May 24, 2013

VIA EMAIL

The Honorable Andrew McAllister, Presiding Member
The Honorable Karen Douglas, Associate Member
Siting Project Committee
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re: Huntington Beach Energy Project (Docket No. 12-AFC-02)
Applicant’s Status Report #3 (May 24, 2013)

Dear Commissioners:

Pursuant to the Committee’s March 7, 2013 Revised Committee Scheduling Order, Applicant AES Southland Development, LLC submits this Status Report regarding the Application for Certification (“AFC”) process for the Huntington Beach Energy Project (“HBEP”).

I. STATUS SUMMARY, CURRENT ISSUES, AND ACTIVITIES

In Applicant’s April 15, 2013 Status Report, Applicant reported the status of data requests and related workshops, and set forth a proposed schedule as of that date. Below, Applicant provides an update to each of those items.

A. Data Requests and Responses; Related Workshops

Since April 15, 2013, Applicant has received two additional sets of data requests from Commission Staff (Staff’s Data Requests, Sets 4 and 5, (#104-106 and #107-109, respectively). On May 17, 2013, Applicant submitted responses to Staff’s Data Requests, Set 4 (Air Quality) and Set 5 (Public Health). Commission Staff also informally requested Applicant to update KOP-5, KOP-4, and KOP-1 to reflect vegetation removal associated with construction of HBEP. Applicant is targeting submission of this information on or about May 31, 2013.

As noted in Applicant’s April 15 Status Report, Applicant is required to provide a 1-hour nitrogen dioxide (“NO_{2}”) national ambient air quality standard (“NAAQS”) air dispersion modeling assessment to the District to demonstrate compliance with Prevention of Significant
Deterioration regulations required under this pre-construction permitting program. This assessment requires the District to identify emission sources (not associated with the Applicant or HBEP) expected to cumulatively contribute to HBEP’s 1-hour NO\textsubscript{2} impacts. The District has preliminarily identified the emission sources and is awaiting EPA approval of the modeling protocol before approving the Applicant’s proposed cumulative impact assessment methodology. Once the District confirms that the modeling protocol is approved by EPA, Applicant anticipates submission of the required information to the District within approximately two weeks.

### B. Impediments to the Current AFC Schedule

As reported in Applicant’s prior Status Report, Applicant continues to work directly with the District to ensure timely responses to the District’s inquiries for additional data and clarifications of same. The District has not yet issued a Preliminary Determination of Compliance (“PDOC”). Currently, Applicant expects the PDOC to be issued by mid-July 2013. As Applicant has previously noted, the PDOC is key to the publication of the PSA. However, Applicant understands it may be necessary for Staff to publish the PSA in two parts: Part A without the air quality section and Part B would include the air quality section after publication of the District’s PDOC. If the Committee or Staff believes that publishing a two-part PSA would expedite the AFC proceeding, Applicant continues to support this course of action.

### II. PROPOSED SCHEDULE

Applicant’s proposed schedule is set forth below.

<table>
<thead>
<tr>
<th>Action</th>
<th>Applicant’s Proposed Schedule</th>
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<tbody>
<tr>
<td>Preliminary Determination of Compliance (PDOC)</td>
<td>07/12/2013</td>
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<tr>
<td>Preliminary Staff Assessment (PSA) Published</td>
<td>07/26/2013</td>
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<tr>
<td>PSA Workshop</td>
<td>08/12/2013</td>
</tr>
<tr>
<td>Comments on PSA</td>
<td>08/26/2013</td>
</tr>
<tr>
<td>Final Determination of Compliance (FDOC)</td>
<td>09/09/2013</td>
</tr>
<tr>
<td>Final Staff Assessment (FSA) Published</td>
<td>09/27/2013</td>
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III. CONCLUSION

Applicant is committed to providing, to the extent feasible, information that will assist Staff with moving the HBEP AFC process toward publication of a PSA as soon as is practicable.

Respectfully submitted,

Melissa A. Foster

MAF: jmw
cc: Proof of Service List
APPLICATION FOR CERTIFICATION FOR THE
HUNTINGTON BEACH ENERGY PROJECT

Docket No. 12-AFC-02
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(Revised 03/26/2013)

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DECLARATION OF SERVICE

I, Kimberly J. Hellwig, declare that on May 24, 2013, I served and filed copies of the attached Applicant's Status Report #3 (May 24, 2013). This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: http://www.energy.ca.gov/sitingcases/huntington_beach_energy/index.html.

The document has been sent to the other parties on the Service List above in the following manner:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: May 24, 2013

____________________
KIMBERLY J. HELLWIG