

DOCKETED

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August 30, 2013

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VIA EMAIL

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Hearing Adviser Susan Cochran
California Energy Commission
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**Re: Huntington Beach Energy Project (12-AFC-02)
Applicants Status Report (September 1, 2013)**

Dear Commissioners and Hearing Adviser Cochran:

Pursuant to the Committee's Second Revised Committee Scheduling Order, dated July 31, 2013, please find herein Applicant AES Southland Development, LLC's September 1, 2013 Status Report for the Huntington Beach Energy Project ("HBEP").

I. STATUS SUMMARY, CURRENT ISSUES, AND ACTIVITIES

Below we provide a brief status of the proceedings that has occurred since the filing of Applicant's Status Report #4 on July 8, 2013.

A. Data Requests and Responses

To date, Applicant has responded to all formal data requests presented by Staff and other agencies. On July 30, 2013, Applicant received an informal request from CEC Staff regarding the Offsite Consequence Analysis ("OCA") in the area of Hazardous Materials Handling. Although Applicant submitted the OCA on August 28, 2013, CEC Staff has indicated that such an analysis is not required for Staff to publish its Preliminary Staff Assessment ("PSA"). Further, on August 13, 2013, Applicant received an informal request from CEC Staff regarding



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water sources and the No Project Alternative. Applicant provided an initial response on August 15, 2013 and is currently in the process of compiling a more detailed response to Staff's questions on this issue and anticipates providing such response within the next few weeks.

Lastly, Applicant has been corresponding with the South Coast Air Quality Management District ("District") regarding the publication of the Preliminary Determination of Compliance ("PDOC"). On August 26, 2013, Applicant submitted a 1-hour NO₂ cumulative impact assessment and a revised quantitative PSD Class II visibility impact assessment to the District,¹ a copy of which was also transmitted to Felicia Miller, CEC Project Manager. The August 26, 2013 filing employed a new² 5-year meteorological dataset. The use of this new meteorological dataset was based on an August 9, 2013 recommendation by the District.³ The District has not requested any additional information from the Applicant necessary to prepare the PDOC.

As a result of the District's recommendation to use a new meteorological dataset for the dispersion modeling, CEC staff requested that the Applicant provide updated responses (as applicable) to Data Request Set 1 (#23-26), and Data Request Sets 4 and 5 in their entirety. The Applicant anticipates filing updated data responses by early October.

B. Impediments to the Current AFC Schedule

Pursuant to this Committee's July 31, 2013 Order, Staff was required to publish the PSA, Part A, on or before August 20, 2013. To date, no portion of the PSA has been published. Should the Staff continue to delay the publication of the PSA, Part A, Applicant is concerned that the schedule set forth by the Committee will be compromised. Applicant is certain no issues exist that should delay this initial publication. To that end, Applicant respectfully requests that the Committee inquire as to Staff's continued delay in publishing Part A of the PSA.

II. CONCLUSION

While Applicant is confident that upon publication of the PDOC, CEC Staff can move forward quickly with publication of the air quality and public health sections of the PSA, Applicant remains concerned that this proceeding is moving far too slowly. HBEP is a critical project needed to maintain reliability in the Los Angeles Basin. Applicant has committed significant

¹ In response to a June 7, 2013 data request.

² Relative to the meteorological datasets used for previous HBEP air dispersion modeling analyses.

³ See email from Tom Chico to Jerry Salamy, August 9, 2013 (CEC Docket TN #200153).



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resources toward the permitting and development of the project and wishes to move the application for certification process more quickly toward a Final Decision.

Respectfully submitted,

Melissa A. Foster

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**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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**APPLICATION FOR CERTIFICATION FOR THE
HUNTINGTON BEACH ENERGY PROJECT**

**Docket No. 12-AFC-02
PROOF OF SERVICE
(Revised 07/18/2013)**

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DECLARATION OF SERVICE

I, Judith M. Warmuth, declare that on August 30, 2013, I served and filed copies of the attached Applicant's Status Report (September 1, 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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- Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

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: August 30, 2013



Judith M. Warmuth