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STATUS CONFERENCE FOR THE
HUNTINGTON BEACH ENERGY PROJECT
BEFORE THE CALIFORNIA ENERGY COMMISSION

In the matter of,)
Huntington Beach Energy) Docket No. 12-AFC-02
Project)

CALIFORNIA ENERGY COMMISSION

HEARING ROOM B

1516 NINTH STREET

SACRAMENTO, CALIFORNIA

TUESDAY, APRIL 8, 2014

3:06 P.M.

Reported by:

Peter Petty

APPEARANCES

COMMISSIONERS (AND THEIR ADVISORS) PRESENT:

Andrew McAllister, Presiding Member

Karen Douglas, Commissioner

Eli Harland, Her Advisor

Jennifer Nelson, Her Advisor

Eileen Allen, Commissioners' Technical Advisor for
Facility Siting

HEARING OFFICER:

Susan Cochran, California Energy Commission

CEC STAFF PRESENT:

Felicia Miller, Project Manager

Kevin W. Bell, Esq., Staff Counsel

Alana Matthews, Public Adviser

Blake Roberts, Assistant Public Adviser

PETITIONER/APPLICANT:

Stephen O'Kane, VP for AES Southland Development

Melissa Foster, Esq., Stoel Rives

Kristen Castanos, Esq., Stoel Rives

Jerry Salemi, CH2MHill

ALSO PRESENT

Mohsen Nazemi, South Coast Air Quality Management District

PUBLIC:

Curt Barry

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1

P R O C E E D I N G S

1
2 APRIL 8, 2014

3:06 P.M.

3 COMMISSIONER MC ALLISTER: Okay, let's go on the
4 record.

5 My name's Andrew McAllister. I'm a Commissioner
6 here at the Energy Commission.

7 There are a number of other people of import
8 here on the dais, and I want them to introduce
9 themselves.

10 In due course -- we are -- I'm the Lead
11 Commissioner on the Huntington Beach Energy Project, NSE
12 Committee.

13 To my left is Commissioner Karen Douglas, who's
14 the other Committee member.

15 And Susan Cochran, the Hearing Officer, is also
16 here with us, on my right.

17 The purpose of this is to get a status report,
18 essentially, from the various stakeholders here, the
19 Applicant, staff and others who would like to chime in
20 on where the project stands, particular to talk about
21 the issues with the staff report or things that we might
22 want to discuss, and the schedule are the two things
23 that sort of jump to the top of the list in terms of
24 what the agenda items are today.

25 I will, at this point, pass the microphone to

1 Susan Cochran for our procedural to get the proceedings
2 going.

3 HEARING OFFICER COCHRAN: Thank you for joining
4 us here this afternoon. I would like to remind you that
5 this meeting is being recorded.

6 We have several call-in members, as well as
7 people here in Sacramento. Before calling in, I'm going
8 to ask that you please mute yourself when you're not
9 speaking because that is not part of my core
10 competencies.

11 And then that way, when you wish to speak,
12 you'll be able to without having me being -- and know
13 that you wish to.

14 So, and this is also being recorded and a
15 transcript will be prepared in the next two weeks or so.
16 So, it's very important that we know who's speaking.

17 So, for those of you who are calling in, if you
18 could identify yourselves, say and spell your name for
19 our court reporter.

20 Could I have call-in user 2?

21 Okay, call-in user 3?

22 No need to be shy.

23 And then, finally, Mavis Scanlon?

24 Why are we not hearing anybody?

25 (Audio discussion)

1 COMMISSIONER DOUGLAS: All right, if anyone's on
2 the phone, will you please speak right now. We're
3 testing the system.

4 MR. BARRY: My name is Curt Barry. I'm with
5 Clean Energy Report. I don't know if I'm caller number
6 1, or 1, or what.

7 COMMISSIONER DOUGLAS: I understand. Thank you
8 so much. That means we know the system's working and we
9 can go on. Thanks.

10 MR. BARRY: Okay.

11 HEARING OFFICER COCHRAN: Mr. Barry, could you
12 spell your name for us, please?

13 MR. BARRY: Yes, C-u-r-t is the first name and
14 then B-a-r-r-y.

15 HEARING OFFICER COCHRAN: Thank you. Anyone
16 else on the phone?

17 Okay. Would the other members on the dais,
18 would you like to introduce your team, Commissioner
19 Douglas?

20 COMMISSIONER DOUGLAS: Yes, I will. So, on my
21 immediate left is my Advisor, Jennifer Nelson. On her
22 left is Eli Harland, also an Advisor with my office.

23 HEARING OFFICER COCHRAN: Thank you.

24 COMMISSIONER DOUGLAS: I will also take the
25 opportunity to introduce Eileen Allen, unless someone

1 else was going to. She's the Technical Advisor for the
2 Commission.

3 HEARING OFFICER COCHRAN: Applicant, if you can
4 identify yourself, please?

5 MR. O'KANE: My name's Stephen O'Kane. I'm
6 Vice-President of AES Southland Development, Applicant
7 for the Huntington Beach Energy Project.

8 MS. FOSTER: My name's Melissa Foster, with
9 Stoel Rives, Counsel for the Applicant.

10 And with us today are Jerry Salemi, of CH2MHill,
11 behind me, and Kristen Castanos, also with Stoel Rives.

12 HEARING OFFICER COCHRAN: Staff, can you state
13 your appearances, please?

14 MR. BELL: Thank you. Senior Staff Counsel
15 Kevin W. Bell.

16 On behalf of staff, with me, seated at the table
17 is Felicia Miller, Project Manager. And present are
18 various and assorted staff members.

19 HEARING OFFICER COCHRAN: Thank you. I would
20 also like to note that our Public Adviser, Alana
21 Matthews, is here, as is Blake Roberts.

22 Do we have blue cards today for people who want
23 to make public comment?

24 MS. MATTHEWS: No, but they can just let me know
25 and I will give them to you.

1 HEARING OFFICER COCHRAN: Thank you very much.

2 So, that concludes sort of our procedural
3 portion of this.

4 I think, now, let's turn to Item Number 2 on the
5 agenda, which are reports from Applicant staff and
6 Interveners regarding the status of the project.

7 Applicant, would you like to go first?

8 MS. FOSTER: Good afternoon. First and
9 foremost, Applicant would like to thank the Hearing
10 Officer and Commissioners for holding this status
11 conference. We appreciate your time this afternoon.

12 We had a productive workshop with staff last
13 Thursday, April 3rd, down in Huntington Beach.

14 And the Applicant has committed to providing a
15 few follow-up pieces of information in three specific
16 issues areas: Biological resources related to
17 construction noise, air quality, and water resources,
18 some additional information related to the cost and
19 feasibility of the use of recycled water.

20 We anticipate that all of that information will
21 be provided by April 22nd, and it's likely that the
22 biological resources information and the water resources
23 information will be provided well prior to that date.

24 COMMISSIONER MC ALLISTER: You said three
25 things?

1 MS. FOSTER: The third thing is air quality
2 related to construction due to the dust, PM 2.5 and PM
3 10. Some modeling is associated with that so that's a
4 longer lead item.

5 COMMISSIONER MC ALLISTER: Okay.

6 MR. O'KANE: This is Stephen O'Kane, Applicant.
7 I should also report that last night the Huntington
8 Beach City Council passed a resolution supporting the
9 use of the architectural treatment we have proposed for
10 the Huntington Beach Energy Project.

11 And language that they have proposed had, but
12 for their -- but for the CEC's authority, in terms of
13 local ordinances, how to define the variance against
14 their zoning regulation and height restriction for that
15 area, since our equipment will be higher than the local
16 zoning regulation.

17 COMMISSIONER MC ALLISTER: Are you talking about
18 the visual? There's an agreement on the visual
19 mitigation or what's the --

20 MR. O'KANE: That's correct. There's a visual
21 treatment, a mitigation that does apply -- the
22 mitigation would infer some sort of impact in income and
23 in this case we are enhancing -- in fact, enhancing and
24 not mitigating the impact, so to speak.

25 But in terms of the variance language for that

1 zoning, industrial zoning, there is a height limitation,
2 and but for the CEC's authority, the City would find
3 that -- did find a reason to provide variance for that
4 height restriction for this project.

5 MS. FOSTER: And the Applicant or CEC staff will
6 docket that resolution that was adopted and the
7 supporting materials as soon as it becomes available
8 from the City.

9 COMMISSIONER MC ALLISTER: Okay.

10 HEARING OFFICER COCHRAN: Is that all the
11 issues?

12 MS. FOSTER: Yes.

13 HEARING OFFICER COCHRAN: Thank you.

14 Staff, can we hear from you?

15 MR. BELL: As the Committee knows, staff has
16 completed its preliminary analysis and has filed its
17 preliminary staff assessment, both parts, including a
18 focused staff assessment was to Parts A and Parts B have
19 been filed.

20 Staff is now working diligently on the FSA
21 sections, trying to finalize everything.

22 I do want to say that with respect to visual
23 resources there is a difference of opinion here. Staff
24 does feel very strongly that there are impacts at this
25 location from two key observation points. So, staff is

1 not in agreement with AES's characterization that there
2 are no impacts and this is not a mitigation measure, nor
3 it is an enhancement measure.

4 Staff does agree that if -- that it is possible
5 this could be an enhancement for this project site. And
6 it's also very possible that based on the resolution
7 that was adopted by the City Council and the approval of
8 the visual treatment plan that the impacts that were
9 identified by staff may be mitigated. We'll have to see
10 that final plan before we make that determination.

11 But in the end, that might be all ado about
12 nothing because that we may end up in agreement over the
13 final result, even if we don't agree with how we got
14 there.

15 COMMISSIONER MC ALLISTER: So, can you just
16 describe the difference between an enhancement and
17 mitigation? Are we talking -- we're talking about the
18 whole project, which includes an evolution of the site,
19 but the whole site, right, not just the new plan.

20 So, is the idea that on net -- you know,
21 Applicant, are you arguing that sort of since on net it
22 will be less visual impact than currently, that it's a
23 net enhancement and so, therefore, you're not talking
24 about mitigation, or staff's --

25 MS. FOSTER: Staff has determined in the PSA

1 that there were significant impacts at two specific
2 locations. And the Applicant maintains that there are
3 no significant visual resources impacts at those
4 locations, and on the whole as part of the project.

5 MR. BELL: What we're talking about is just a
6 different approach to getting to what may be the same
7 end result.

8 When we look at a project, there are many
9 different areas that we look at, from a CEQA
10 perspective, from a LORS perspective, and also
11 compliance with certain State policies, as well.

12 From a CEQA perspective, we determine if there
13 are any significant adverse impacts and we attempt to
14 mitigate those to a level of less than significant.

15 In this case, from a CEQA perspective, there's
16 disagreement between staff and the Applicant over
17 whether or not there are impacts at a certain location.

18 Another way to look at this same issue is from a
19 LORS perspective. There's a provision of the Coastal
20 Act that requires that developments within a coastal
21 zone should be restored and enhanced.

22 Under that perspective, you could consider the
23 visual treatment applications to enhancing this project
24 site, irrespective of whether or not there are any
25 impacts under CEQA.

1 So, really, it's two different ways of looking
2 at what could be the same problem, and coming to the
3 same conclusion at the end of the day.

4 Did that answer your question?

5 COMMISSIONER MC ALLISTER: Yes, thank you.

6 HEARING OFFICER COCHRAN: Are there any other
7 callers who would like to speak to any of the issues
8 that were just raised or if they have additional issues
9 that they would like to have considered?

10 Hearing none, are there any members of the
11 audience who would like to speak on any of the issues
12 that they see still, or that they think the Committee
13 should consider as we move forward on this application?

14 Don't all rush to a mic. Seeing none, I think
15 now would be a good time, maybe, to talk about schedule.

16 COMMISSIONER MC ALLISTER: Yeah, so I guess my
17 understanding of why we're here, in part at least, is
18 because there was significant discussion about the
19 schedule, some of which I think originated because of
20 the need to bifurcate due to the air issues that were
21 not quite in sync, the report from the air district.

22 So, I wanted to kind of just get a check in on
23 the scheduled issue. Have things come together for the
24 moment? And what people think, you know, Applicant was
25 concerned that they were sliding -- we chose to

1 bifurcate and kind of keep it moving forward.

2 But I'm just wanting to get a check in from the
3 parties about that and where we stand with respect to
4 the schedule.

5 MS. FOSTER: Well, I think initially Applicant
6 had concerns with the timing of the issuance of the PSA
7 Part A, and then the decision to bifurcate was made.

8 At the initial publication date of the PSA Part
9 A, after bifurcation occurred, did slip a little bit.

10 However, staff has made significant inroads in
11 the timing and, as indicated in Applicant's proposed
12 schedule and staff's proposed schedule, it appears that
13 all parties are on the same page moving forward. And
14 our schedules align pretty well with one another.

15 So, at this point in time we don't anticipate
16 any further delay, that we believe the delays in the
17 past have been resolved.

18 COMMISSIONER MC ALLISTER: Is someone from the
19 air district online or --

20 HEARING OFFICER COCHRAN: I don't know. I know
21 that there's someone named Mark. I don't know if that's
22 the air district person.

23 Are there any State or Federal agencies, local
24 agencies, Native American groups?

25 COMMISSIONER MC ALLISTER: So, I guess then

1 perhaps an open question, because we were expecting the
2 representative from the air district to be here, as
3 well, to talk a little bit about their schedule going
4 forward to see, you know, whether the final -- you know,
5 the --

6 HEARING OFFICER COCHRAN: FDOC.

7 COMMISSIONER MC ALLISTER: Yeah, sorry, the FDOC
8 from the air district was sort of likely to be in
9 alignment with where our schedule might be going
10 forward.

11 So, lacking that, I guess maybe staff and/or --
12 maybe staff, you know, and sort of what do you see as
13 the potential of having to revisit the bifurcation issue
14 down the road if things don't go according to the plan?

15 MR. BELL: We're operating on our new schedule,
16 now. We're prepared to publish without the additional
17 documentation from the air district.

18 COMMISSIONER MC ALLISTER: So, you're saying
19 that you don't -- staff, you're saying that you don't
20 think the FDOC is going to vary enough to warrant any
21 changes in the air work?

22 MR. BELL: Our fingers are crossed.

23 MR. O'KANE: The Applicant's hopeful and we did
24 receive a video feed which stated that the project, as
25 proposed is a full plan to follow. The rules and

1 regulations, it is pertaining to public view at this
2 moment. So, unless there is something unbeknownst, a
3 new interpretation, et cetera, we expect that the final
4 determination of compliance to mirror the preliminary
5 new determination on it, without any significant
6 surprises there.

7 MR. NAZEMI: Hi, Mohsen Nazemi. I'm sorry I'm
8 late.

9 COMMISSIONER MC ALLISTER: He's here, all right,
10 excellent. Great to have you on the last -- I didn't
11 know you would be here in person, but we will take what
12 we can get and really appreciate your presence.

13 So, I think we'll start with --

14 MR. NAZEMI: I apologize for being late. I was
15 tied up in another meeting.

16 COMMISSIONER MC ALLISTER: No worries, we're
17 happy to have you here now. So, go ahead. I guess,
18 have you been able to tune into the conversation here
19 for the last couple of minutes?

20 MR. NAZEMI: No, I have not. I just got here.

21 COMMISSIONER MC ALLISTER: So, we were just
22 talking about the schedule and acknowledging the fact
23 that staff at the Energy Commission and the Applicant
24 are on the same page with respect to the steps forward
25 and, basically, the timeline by which those will go

1 forward.

2 And the one kind of slight unknown being exactly
3 what the timeline you envision for the FDOC on your end.
4 So, with that, I'll let you have the floor.

5 MR. NAZEMI: Sure, I appreciate it. Maybe the
6 previous speakers have identified -- we had issues at
7 PDOC on January 27th, and then we received some comments
8 from OCCN and the Applicant on the PDOC, and we released
9 a revised PDOC earlier this month.

10 And we've issued a draft Title 5 permit, with
11 public notice in the newspaper for a 30-day comment
12 period for public, and a 45-day peer review on April
13 4th, which was last Friday.

14 So, we have -- in our regs we have a provision
15 that if any member of the public is interested in
16 requesting that we hold a public hearing, they have 15
17 days from the date of issuance of the notice to request
18 that. So, that will be April 19th.

19 So, if we get a request for a public hearing, we
20 need to take that into consideration and see if it
21 was -- if the request qualifies. There are certain
22 criteria that they have to meet in order to qualify for
23 a public hearing.

24 If we don't get any request, the deadline for
25 public comments is May 5th, and then EPA's review is ten

1 days after that, or around May 15th.

2 Once we go beyond that date, it depends on what
3 kind of comments we get. If we get no comments, then I
4 would say within a couple of week we can issue the FDOC.
5 But if we get significant number of comments or if we
6 get a request for a public hearing, then that will
7 depend on when we're can address all the comments and/or
8 if there was a legitimate request, hold a public
9 hearing.

10 Typically, to hold a hearing you need to find a
11 location and then give the public adequate notice for a
12 hearing. So, I would think at least 30 days before a
13 hearing can be held.

14 And then depending on what additional comments
15 we receive at the hearing that those need to be
16 addressed.

17 So, this first scenario, if we don't get any of
18 these requests or don't get any comments, or maybe just
19 minor comments, I would say by the end of May we should
20 be able, or air region, we should be able to issue the
21 FDOC.

22 On the other hand, if we get significant public
23 comments and/or if we get a public hearing request, I
24 would say it's safe to say that it would be extended by
25 another, maybe 30 days, so it would be the end of June

1 or July before we can issue the FDOC.

2 And it could happen in between these two dates,
3 also.

4 Does that help?

5 COMMISSIONER MC ALLISTER: That's great. Thank
6 you very much. Again, we really appreciate you being
7 engaged in the process.

8 There's -- Susan are there other things you'd
9 like to hear from the air district, the timeline, I
10 don't know whether there's any other issues or --

11 Great, well, I think if you could maybe stay on
12 the line for just a couple more minutes --

13 MR. NAZEMI: Sure, no problem.

14 COMMISSIONER MC ALLISTER: -- and then we'll see
15 if anything else comes in on this topic.

16 So, with that, I think we're going to go into
17 closed session. And I'm going to propose we do that and
18 in a half an hour be back here. That would be pretty
19 much right at 4:00, slightly before if we're efficient.

20 MR. NAZEMI: So, Commissioner, did you want --
21 what will happen at 4:00?

22 COMMISSIONER MC ALLISTER: So, at 4:00 we'll
23 reconvene and I think we'll probably -- you know, I'm
24 going to let you go. I don't think there will be
25 anything substantive for you -- so, really appreciate

1 your engagement today.

2 MR. NAZEMI: Oh, absolutely, no problem.

3 COMMISSIONER MC ALLISTER: Thanks very much.

4 MR. NAZEMI: Sure. Again, apologize for being
5 late on the call.

6 COMMISSIONER MC ALLISTER: Not a problem.

7 MR. NAZEMI: Thank you, have a nice day.

8 COMMISSIONER MC ALLISTER: All right.

9 HEARING OFFICER COCHRAN: The Committee is now
10 going to recess to closed session for approximately 30
11 minutes, pursuant to Government Code section
12 11126(c)(3), as set forth on the agenda. Thank you.

13 (Off the record at 3:30 p.m. for Closed
14 Session.)

15 (Resume Open Session at 4:08 p.m.)

16 COMMISSIONER MC ALLISTER: I think we're on
17 schedule.

18 We did have a closed session and had a few
19 topics come out of that that we want to get on the table
20 and just for treatment in our report. So, I'll pass the
21 microphone on to Susan.

22 HEARING OFFICER COCHRAN: Thank you.

23 So, I had a chance to go through the PSA and I
24 wanted to share some of my thoughts, issues and concerns
25 that I'm seeing so that we can, hopefully, get these

1 resolved before the FSA comes out.

2 I guess the first area I wanted to touch on was
3 water resources. I see that in the LORS table that we
4 talk about the need for a water supply assessment, and
5 in the State Water Code.

6 Unfortunately, what I don't see is the analysis
7 that usually goes along with it. I know that there's
8 water from Huntington Beach, but I don't see a
9 discussion in the PSA regarding sort of where's the
10 water coming from, what are the environmental impacts of
11 receiving the water from that source?

12 And this is particularly in light of the fact
13 that, if I'm understanding correctly, there now might be
14 a recycled water used from a different provider, which
15 could then also have issues with the pipeline necessary
16 to get that pipe water from wherever the reclaimed water
17 is coming from to the plant.

18 I did sort of my own analysis to determine
19 whether it was required to have a water supply
20 assessment. Looking at the Huntington Beach, River
21 Water Management Plan, it appears that with acre feet
22 demand of 115 acre feet per year that that would be in
23 excess of what would trigger a water supply assessment
24 under the Water Code.

25 In addition to making sure that for the CEQA

1 portion of our decision that we are covered under the
2 Vineyard Area Citizens case, where we talk then about
3 that analysis and how that analysis is moving forward.

4 So, that's one sort of big area that I wanted to
5 make sure was covered in the FSA.

6 A second I have was with the construction lay-
7 down yard. And maybe I'm just not understanding what it
8 is we're envisioning using the site in Long Beach for.

9 I know that in traffic there's a lot of
10 discussion about the trips back and forth, but I want to
11 make sure that it is what I think of as a construction
12 lay-down, which is where the materials are being staged
13 and then brought to the site.

14 And I think that's important because, first, I'm
15 not seeing a lot of analysis of the Long Beach LORS
16 relative to whether this is a permitted use on the site,
17 and then whether there are any visual, air quality or
18 noise impacts from using that site that's some 20 miles
19 away from the project site as the lay-down yard.

20 A further topic that I'm just sort of giving a
21 30,000-foot view on is the alternatives analysis.

22 And I think that part of my concern is I'm not
23 seeing a solid narrative on what the no-project-
24 alternative is, as well as a description of why that's
25 the chosen no-project alternative.

1 In other words there are -- there's an existing
2 facility there. It's had various iterations, various
3 licenses from the CEC. And in addition, there's the
4 synchronous generator in place, now, for support of the
5 grid in that area.

6 But I'm not seeing sort of if -- if this AFC
7 were to be denied, what would the site look like after a
8 denial? And that, to me, would seem to be sort of the
9 baseline no-project alternative, I guess, which we then
10 will review the alternatives with this project and find
11 the environmentally superior alternative.

12 I think that Eileen also had an issue on -- oh,
13 a question.

14 COMMISSIONER MC ALLISTER: I just wanted to
15 reinforce that point a little bit. The no-project
16 alternative, I think would be -- I think it's really
17 important in this case to understand what that looks
18 like in practice. So, just from a policy perspective,
19 for this particular case, I think that's quite
20 important, what are the implications for the no-project
21 alternative, and that baseline alternative of the
22 project.

23 So, I wanted to just put a little bit more of a
24 sharper point on that. What are the various locations
25 of the no-project alternative? We need to have that

1 spelled out fairly clearly.

2 MS. ALLEN: This project, as proposed, has an
3 unusually long construction period compared to power
4 plant projects that the Commission is used to reviewing,
5 from the CEQA perspective.

6 So, with a construction period of approximately
7 nine years, you would reasonably expect the number of
8 environmental conditions to be shifting and changing,
9 like traffic, noise, and air quality in the vicinity
10 surrounding the project site.

11 We could also expect that power plant technology
12 might be changing, too. That's just speculation, but
13 it's a possibility.

14 So, we're interested in what's the best way for
15 addressing the implications of an extremely long
16 construction period from the CEQA perspective. We'd
17 like to see that thoroughly addressed in the FSA.

18 HEARING OFFICER COCHRAN: I wanted to talk a
19 little bit now about schedule and sort of next steps
20 going forward.

21 There will be an order coming out of this
22 hearing today, obviously. However, I think we're going
23 to delay until after April 19 to get the order out, in
24 order to sort of get a better read on what's happening
25 with the South Coast.

1 My understanding of what Mr. Nazemi said, when
2 he was on the phone with us, is that the 19th is sort of
3 a big deadline for requesting a public hearing.

4 And that will give us a better sense of when the
5 FDOC -- or I'm sorry, the final determination of
6 compliance the South Coast Air Quality Management
7 District will be coming out.

8 The Committee is, though, interested in moving
9 forward with some of the dates that are in the schedule
10 that you all provided, and that's up on the screen.

11 I'm going to go move over to the dais so that I
12 can sort of fill in where I think we ended up, after
13 looking at everyone's calendars for this summer.

14 We're going to continue keeping the FSA being
15 published on May 30, 2014, as well as having the pre-
16 hearing conference on July 21.

17 When it comes time to -- so, I'm going to
18 highlight July 21 because that's when we'll be able to
19 do that.

20 In terms of the evidentiary hearing, the
21 earliest date that we have amongst our various calendars
22 is August -- the week of August 4th.

23 What I will be doing is I will be following up
24 with Applicant and with staff to make sure that there
25 are no vacation plans, or anything like that.

1 So, if you could let me know in the next several
2 days that this happening, any specific dates in the week
3 of August 4th that may or may not work for you.

4 And then the balance of the schedule is going to
5 remain the same, with September 2nd as the proposed
6 issuance date for the PMPA, which is consistent with
7 Commission practice of having them being issued about
8 four weeks after the close of the evidentiary hearing,
9 and then maintaining the October 8, 2014 date for the
10 Business Meeting.

11 So, that's what the schedule looks like going
12 forward. Obviously, we still have to come up with some
13 of the fill-in dates for when interveners will be
14 required to file, which is hearing the earlier of the
15 pre-conference hearing or 30 days prior to the
16 evidentiary hearing.

17 So, looking about June 20th, roughly, or July
18 21st as the deadline for interveners to file and we
19 currently have one intervener.

20 So, that's where we are regarding the schedule.
21 Are there any questions, or comments, or protests about
22 what we're looking at regarding the schedule? Or if you
23 know dates -- or if you know dates in the week of August
24 4th that don't work for you, if you could let me know
25 now, that would be helpful, too.

1 MR. BELL: Yes, Ms. Cochran, the entire week
2 surrounding August 4th isn't available for our project
3 manager.

4 HEARING OFFICER COCHRAN: Okay. Unfortunately,
5 our Commissioners are out-of-pocket the week of the 21st
6 and the 28th of July. That was the first week after
7 that that we could meet.

8 And, obviously, the further away we get from
9 August 4th, that pushes the rest of the schedule down as
10 well because I am going to need some time to prepare the
11 PMPD, you know, to help the Committee.

12 So, do you have alternate -- do you have
13 alternate dates, staff?

14 MS. MILLER: The week before or the week after,
15 yes.

16 MR. BELL: August 11th. And you said the week
17 before is not available?

18 HEARING OFFICER COCHRAN: Correct.

19 Does the Applicant have any questions, comments,
20 concerns?

21 MS. FOSTER: I don't believe so.

22 HEARING OFFICER COCHRAN: I will then try to
23 find dates that are available on the Committee's
24 respective calendars for the week of August 11th, and
25 those will then be included in the status conference

1 order, understanding then that that probably means that
2 we're not going to make the October Business meeting.

3 COMMISSIONER DOUGLAS: Well, why don't we --
4 let's just take the dates under advisement right now and
5 we will confer and we'll see if there's any problem
6 solving we can do, and others can do the same.

7 But what the Hearing Officer laid out may be the
8 result of --

9 HEARING OFFICER COCHRAN: And Advisor Allen just
10 said that there may be a special Business Meeting later
11 in October so --

12 But if you'll look, you'll see that usually --
13 there's a 30-day comment period on the PMPD after it's
14 issued. That's sort of the source, that's the limit on
15 then when we can go to a Business Meeting.

16 Are there any other questions, comments, issues?

17 MS. FOSTER: I think the Applicant would just
18 request that the FSA date for May, May 30th, even if
19 there's some delay in the FDOC, we would like it to be
20 the FSA and not wait for South Coast to do that.

21 We did that once and --

22 HEARING OFFICER COCHRAN: We're intending to
23 include that, to keep that date. Like I said, I think
24 we'll have a much clearer picture April 19th, which I
25 think is a Saturday. But be that as it may, we'll

1 figure it out.

2 But we will keep May 30th as the date for the
3 FSA.

4 COMMISSIONER MC ALLISTER: Does anybody in the
5 room have any words they'd like to say? I'm not sure if
6 we have callers, still, but if anybody on the phone
7 wants to add some quick comment?

8 Okay, with that I want to thank staff and thank
9 the Applicant for being here today, and Susan Cochran
10 for marshaling us through the proceedings, Eileen for
11 all her great work on the siting here at the Commission,
12 and her staff.

13 And with that, I'll close the proceedings.

14 (Thereupon, the Workshop was adjourned at
15 4:22 p.m.)

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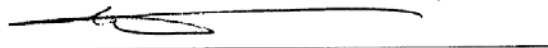
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REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of May, 2014.



PETER PETTY
CER**D-493
Notary Public

TRANSCRIBER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of May, 2014.

A handwritten signature in cursive script, appearing to read "Barbara Little", is written over a horizontal line.

Barbara Little
Certified Transcriber
AAERT No. CET**D-520