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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, CH2M Hill

ALSO PRESENT

Mohsen Nazemi, South Coast Air Quality Management District

PUBLIC:

Curt Barry
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COMMISSIONER MC ALLISTER: Okay, let’s go on the record.

My name’s Andrew McAllister. I’m a Commissioner here at the Energy Commission.

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

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

To my left is Commissioner Karen Douglas, who’s the other Committee member.

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

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

I will, at this point, pass the microphone to...
HEARING OFFICER COCHRAN: Thank you for joining us here this afternoon. I would like to remind you that this meeting is being recorded.

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

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

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

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

Could I have call-in user 2?

Okay, call-in user 3?

No need to be shy.

And then, finally, Mavis Scanlon?

Why are we not hearing anybody?

(Audio discussion)
COMMISSIONER DOUGLAS: All right, if anyone’s on the phone, will you please speak right now. We’re testing the system.

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

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

MR. BARRY: Okay.

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

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

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

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

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

HEARING OFFICER COCHRAN: Thank you.

COMMISSIONER DOUGLAS: I will also take the opportunity to introduce Eileen Allen, unless someone
else was going to. She’s the Technical Advisor for the Commission.

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

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

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

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

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

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

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

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

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

MS. MATTHEWS: No, but they can just let me know and I will give them to you.
HEARING OFFICER COCHRAN: Thank you very much.

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

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

Applicant, would you like to go first?

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

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

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

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

COMMISSIONER MC ALLISTER: You said three things?
MS. FOSTER: The third thing is air quality related to construction due to the dust, PM 2.5 and PM 10. Some modeling is associated with that so that’s a longer lead item.

COMMISSIONER MC ALLISTER: Okay.

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

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

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

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

But in terms of the variance language for that
zoning, industrial zoning, there is a height limitation, 
and but for the CEC’s authority, the City would find 
that -- did find a reason to provide variance for that 
height restriction for this project.

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

COMMISSIONER MC ALLISTER: Okay.

HEARING OFFICER COCHRAN: Is that all the 
issues?

MS. FOSTER: Yes.

HEARING OFFICER COCHRAN: Thank you.

Staff, can we hear from you?

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

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

I do want to say that with respect to visual 
resources there is a difference of opinion here. Staff 
does feel very strongly that there are impacts at this 
location from two key observation points. So, staff is
not in agreement with AES’s characterization that there are no impacts and this is not a mitigation measure, nor it is an enhancement measure.

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

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

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

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

MS. FOSTER: Staff has determined in the PSA
that there were significant impacts at two specific
locations. And the Applicant maintains that there are
no significant visual resources impacts at those
locations, and on the whole as part of the project.

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

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

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

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

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

Under that perspective, you could consider the
visual treatment applications to enhancing this project
site, irrespective of whether or not there are any
impacts under CEQA.
So, really, it’s two different ways of looking at what could be the same problem, and coming to the same conclusion at the end of the day.

Did that answer your question?

COMMISSIONER MC ALLISTER: Yes, thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMISSIONER MC ALLISTER: So, I guess then
perhaps an open question, because we were expecting the representative from the air district to be here, as well, to talk a little bit about their schedule going forward to see, you know, whether the final -- you know, the --

HEARING OFFICER COCHRAN: FDOC.

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

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

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

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

MR. BELL: Our fingers are crossed.

MR. O'KANE: The Applicant’s hopeful and we did receive a video feed which stated that the project, as proposed is a full plan to follow. The rules and
regulations, it is pertaining to public view at this moment. So, unless there is something unbeknownst, a new interpretation, et cetera, we expect that the final determination of compliance to mirror the preliminary new determination on it, without any significant surprises there.

MR. NAZEMI: Hi, Mohsen Nazemi. I’m sorry I’m late.

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

So, I think we’ll start with --

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

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

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

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

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

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

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

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

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

If we don’t get any request, the deadline for public comments is May 5th, and then EPA’s review is ten...
days after that, or around May 15th.

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

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

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

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

On the other hand, if we get significant public comments and/or if we get a public hearing request, I would say it’s safe to say that it would be extended by another, maybe 30 days, so it would be the end of June.
or July before we can issue the FDOC.

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

   Does that help?

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

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

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

MR. NAZEMI: Sure, no problem.

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

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

MR. NAZEMI: So, Commissioner, did you want --

   what will happen at 4:00?

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

MR. NAZEMI: Oh, absolutely, no problem.

COMMISSIONER MC ALLISTER: Thanks very much.

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

COMMISSIONER MC ALLISTER: Not a problem.

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

COMMISSIONER MC ALLISTER: All right.

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

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

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

COMMISSIONER MC ALLISTER: I think we’re on schedule.

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

HEARING OFFICER COCHRAN: Thank you.

So, I had a chance to go through the PSA and I wanted to share some of my thoughts, issues and concerns that I’m seeing so that we can, hopefully, get these
resolved before the FSA comes out.

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

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

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

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

In addition to making sure that for the CEQA
portion of our decision that we are covered under the Vineyard Area Citizens case, where we talk then about that analysis and how that analysis is moving forward.

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

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

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

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

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

And I think that part of my concern is I’m not seeing a solid narrative on what the no-project-alternative is, as well as a description of why that’s the chosen no-project alternative.
In other words there are -- there’s an existing facility there. It’s had various iterations, various licenses from the CEC. And in addition, there’s the synchronous generator in place, now, for support of the grid in that area.

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

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

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

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

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

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

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

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

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

There will be an order coming out of this hearing today, obviously. However, I think we’re going to delay until after April 19 to get the order out, in order to sort of get a better read on what’s happening with the South Coast.
My understanding of what Mr. Nazemi said, when he was on the phone with us, is that the 19th is sort of a big deadline for requesting a public hearing.

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

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

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

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

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

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

What I will be doing is I will be following up with Applicant and with staff to make sure that there are no vacation plans, or anything like that.
So, if you could let me know in the next several days that this happening, any specific dates in the week of August 4th that may or may not work for you.

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

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

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

So, that’s where we are regarding the schedule. Are there any questions, or comments, or protests about what we’re looking at regarding the schedule? Or if you know dates -- or if you know dates in the week of August 4th that don’t work for you, if you could let me know now, that would be helpful, too.
MR. BELL: Yes, Ms. Cochran, the entire week surrounding August 4th isn’t available for our project manager.

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

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

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

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

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

HEARING OFFICER COCHRAN: Correct.

Does the Applicant have any questions, comments, concerns?

MS. FOSTER: I don’t believe so.

HEARING OFFICER COCHRAN: I will then try to find dates that are available on the Committee’s respective calendars for the week of August 11th, and those will then be included in the status conference.
order, understanding then that probably means that
we’re not going to make the October Business meeting.

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

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

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

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

Are there any other questions, comments, issues?

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

We did that once and --

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

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

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

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

And with that, I’ll close the proceedings.

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

--oOo--
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.

[Signature]

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.

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