

DOCKETED

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**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

In the Matter of:

**AES Southland Development, LLC
Huntington Beach Energy Project**

Docket No. 12-AFC-02C

**AES HUNTINGTON BEACH ENERGY,
LLC'S PETITION TO CHANGE
OWNERSHIP OF THE HUNTINGTON
BEACH ENERGY PROJECT**

**AES HUNTINGTON BEACH ENERGY, LLC'S PETITION TO CHANGE OWNERSHIP
OF THE HUNTINGTON BEACH ENERGY PROJECT**

April 8, 2016

Melissa A. Foster, Esq.
Kristen T. Castaños, Esq.
Stoel Rives LLP
500 Capitol Mall, Suite 1600
Sacramento, CA 95814
Phone: (916) 447-0700
Facsimile: (916) 447-4781

Attorneys for AES HUNTINGTON BEACH ENERGY, LLC

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
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I. INTRODUCTION

This Petition to Change Ownership of the Huntington Beach Energy Project (the "Project" or "HBEP") is submitted on behalf of AES Huntington Beach Energy, LLC. This Petition solely proposes a change in the ownership entity of the HBEP. No changes to conditions of certification, the Project, or its related facilities are proposed herein. Moreover, such a change in ownership does not affect the analyses set forth in the California Energy Commission's ("CEC") Final Decision or the status of any pending amendments thereto. Below, AES Huntington Beach Energy, LLC provides the requisite information for a change in ownership as set forth in California Code of Regulations, title 20, section 1769(b).

II. BACKGROUND

On June 27, 2012, AES Southland Development, LLC ("AES Southland") submitted an Application for Certification to the CEC seeking permission to construct and operate a power generation facility located in the City of Huntington Beach at the site of the existing Huntington

Beach Generating Station. On October 29, 2014, the CEC granted a license to AES Southland to construct and operate the HBEP. (HBEP Final Decision Commission Adoption Order No. 14-1029-1 (October 29, 2014) (TN# 203271).) On September 9, 2015, AES Southland filed the pending Petition to Amend (“PTA”) regarding modifications to project technology stemming from Southern California Edison’s decision during the 2013 Local Capacity Requirements Request for Offers that AES provide 644 MW of nominal capacity at the Huntington Beach site.

AES Huntington Beach Energy, LLC is a Delaware limited liability company.¹ The AES Corporation formed AES Huntington Beach Energy, LLC to specifically develop and operate the HBEP. The prior owner of HBEP, AES Southland Development, LLC, and AES Huntington Beach Energy, LLC are both subsidiaries of The AES Corporation. In compliance with California Code of Regulations, title 20, section 1769(b), and on behalf of AES Huntington Beach Energy, please see attached hereto as Exhibit B the Affidavit of Stephen O’Kane in Support of Petition to Change Ownership of the Huntington Beach Energy Project, wherein Mr. O’Kane, as the Manager (Officer) of AES Huntington Beach Energy, LLC, verifies that AES Huntington Beach Energy understands and agrees to comply with the conditions of certification set forth in the Project’s Final Decision issued by the CEC on October 29, 2014 and any amendments thereto. In short, and as required by California Code of Regulations, title 20, section 1769(b), AES Huntington Beach Energy, LLC understands the conditions of certification and agrees to comply with those conditions.


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¹ See Exhibit A attached hereto.

III. CONCLUSION

AES Huntington Beach Energy, LLC respectfully requests that the Commission approve AES Huntington Beach Energy, LLC's Petition to Change Ownership of the HBEP as set forth herein.

Dated: April 8, 2016

By: 

Kristen T. Castaños
Melissa A. Foster
STOEL RIVES LLP
Attorneys for AES Huntington Beach Energy,
LLC

Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "AES HUNTINGTON BEACH ENERGY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRD DAY OF FEBRUARY, A.D. 2016.



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You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JWBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

Authentication: 201772831

Date: 02-03-16

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

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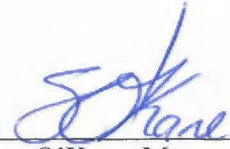
**AFFIDAVIT OF STEPHEN O’KANE IN
SUPPORT OF PETITION TO CHANGE
OWNERSHIP OF THE HUNTINGTON
BEACH ENERGY PROJECT**

I, Stephen O’Kane, herein attest that:

1. I am the Manager of AES Huntington Beach Energy, LLC, a wholly-owned subsidiary of The AES Corporation. As an Officer of AES Huntington Beach Energy, LLC, I am authorized to attest to the information set forth herein.
2. As set forth in the Petition to Change Ownership of the Huntington Beach Energy Project (“Petition”) submitted herewith, AES Huntington Beach Energy, LLC seeks no changes to conditions of certification, the Huntington Beach Energy Project, or to its related facilities. Rather, the Petition is meant solely to inform the California Energy Commission (“CEC”) of the change in ownership of the Huntington Beach Energy Project from AES Southland Development, LLC to AES Huntington Beach Energy, LLC.
3. AES Huntington Beach Energy, LLC agrees to comply with all conditions of certification as set forth in the CEC’s Final Decision, dated October 29, 2014, and any subsequent approvals of amendments related thereto, as well as all laws, ordinances, regulations and standards applicable to the Huntington Beach Energy Project.

This affidavit is made under penalty of perjury under the laws of the State of California
as to the truth and accuracy of the Petition submitted herewith and is executed at

Long Beach, California on April 6, 2016.



Stephen O'Kane, Manager
AES Huntington Beach Energy, LLC