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Project Title:	Huntington Beach Energy Project - Compliance
TN #:	214604
Document Title:	Project Owner's Motion to Advance the Evidentiary Hearing
Description:	Project Owner's Motion to Advance Schedule
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**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

In the Matter of:

The Petition to Amend the

HUNTINGTON BEACH ENERGY PROJECT

Docket No. 12-AFC-02C

**AES HUNTINGTON BEACH ENERGY,
LLC'S MOTION TO ADVANCE THE
EVIDENTIARY HEARING**

**AES HUNTINGTON BEACH ENERGY, LLC'S
MOTION TO ADVANCE THE EVIDENTIARY HEARING**

December 1, 2016

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Pursuant to Title 20, California Code of Regulations, section 1211.5, Project Owner AES Huntington Beach Energy, LLC ("Project Owner") herein moves to advance the evidentiary hearing for the Huntington Beach Energy Project ("HBEP" or "Project") Petition to Amend ("PTA") (hereinafter referred to as the "Amended HBEP") proceeding.

On October 20, 2016, the Committee assigned to this proceeding issued a Notice of Prehearing Conference and Evidentiary Hearing, Scheduling Order, and Further Orders ("Hearing Order"). Therein, the Committee set forth a schedule that bifurcated the evidentiary hearing – the first date (November 30, 2016) was for all topics other than Air Quality and Public Health; a second hearing date (TBD) was solely to hear evidence on Air Quality and Public Health. Project Owner received and reviewed the Committee's November 29, 2016 Notice of Cancellation of November 30, 2016 Evidentiary Hearing; Orders After Prehearing Conference, docketed on November 30, 2016 (hereinafter "November 30 Order"). Project Owner is aware that Kevin Bell, Senior California Energy Commission ("CEC") Staff Counsel assigned to the Amended HBEP proceeding since the filing of the Application for Certification in 2012, has

accepted a new position with the California Attorney General’s Office and will not be Senior Staff Counsel at the CEC beyond approximately December 22, 2016. Project Owner believes that it is in the parties’ and the Committee’s best interest to schedule the HBEP PTA evidentiary hearing when Mr. Bell is available to participate in the proceedings, as requested by Mr. Bell on November 23, 2016 (TN# 214565).

As repeatedly stated throughout this proceeding, time is of the essence for the Amended HBEP to meet certain project schedule milestones. Thus, Project Owner requires a decision on the pending PTA as soon as possible. To that end, Project Owner herein moves to advance the “Prehearing Conference and Evidentiary Hearing” from January 9, 2016 to December 21, 2016. Project Owner also herein moves to advance the relevant prehearing filing deadlines to the dates proposed by Project Owner on November 22, 2016 (TN# 214550), to which Staff agreed on November 22, 2016 (TN# 214552). All of the dates proposed by Project Owner herein are set forth below:

ACTION	DATE
FSA Part 2	December 9, 2016
Opening Testimony, Part 2	December 15, 2016
Rebuttal Testimony, Part 2, including Revised Exhibit List, Revised Witness List, and Supplemental Prehearing Conference Statement with Prehearing Brief Items included	December 19, 2016
Evidentiary Hearing	December 21, 2016
Publication of the PMPD	January 23, 2016
Committee Conference on PMPD	Within 30 days of publication of PMPD
Close of PMPD Public Comment Period	30 days after publication of PMPD
Errata/revisions to PMPD (if needed)	TBD
Final Adoption Hearing by the CEC	No later than March 2017

For the reasons set forth herein, Project Owner hereby moves that the Siting Committee issue an order vacating the schedule set forth in the November 30 Order and issue an order setting the schedule as reflected in table above. Given the urgency of this matter, Project Owner also requests that the Siting Committee set an expedited schedule for consideration of this motion, pursuant to Title 20, California Code of Regulations, section 1211.5(a).

Date: December 1, 2016

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