

## DOCKETED

<b>Docket Number:</b>	12-AFC-02C
<b>Project Title:</b>	Huntington Beach Energy Project - Compliance
<b>TN #:</b>	215168
<b>Document Title:</b>	Committee Order re Briefing Schedule
<b>Description:</b>	Order
<b>Filer:</b>	Darlene Burgess
<b>Organization:</b>	Energy Commission Hearing Office
<b>Submitter Role:</b>	Committee
<b>Submission Date:</b>	1/5/2017 3:21:05 PM
<b>Docketed Date:</b>	1/5/2017



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – WWW.ENERGY.CA.GOV**

***PETITION TO AMEND THE:***

***HUNTINGTON BEACH ENERGY PROJECT***

**Docket No. 12-AFC-02C**

## **COMMITTEE ORDER RE: BRIEFING SCHEDULE**

### **Background**

On September 9, 2015, AES Southland, LLC<sup>1</sup> (Petitioner) submitted a Petition to Amend (Petition) to the California Energy Commission (Energy Commission) seeking permission to amend the certified Huntington Beach Energy Project (HBEP).<sup>2</sup> The Petition proposes to reduce the nominal generation capacity of the HBEP from 939 megawatts (MW) to 844 MW (644 MW generated from combined-cycle technology and 200 MW from simple-cycle technologies) (Proposed Project).

The Proposed Project site is located in the City of Huntington Beach, just north of the intersection of the Pacific Coast Highway and Newland Street. The Proposed Project would be located entirely within the footprint of the existing AES Huntington Beach Generating Station, an operating power plant.

Further details of the Proposed Project are contained in the Petition, which may be viewed at:

<https://efiling.energy.ca.gov/getdocument.aspx?tn=206087>

On December 21, 2016, the Committee<sup>3</sup> conducted an Evidentiary Hearing on the Proposed Project. During that Evidentiary Hearing, Intervenor Robert Simpson/Helping Hand Tools requested the opportunity to brief issues arising from the Evidentiary Hearing.

---

<sup>1</sup> AES Southland, LLC, sought and obtained permission to transfer ownership of the Huntington Beach Energy Project to AES Huntington Beach Energy, LLC (TN 211856). For ease, we will refer to AES Huntington Beach Energy, LLC as "Petitioner."

<sup>2</sup> The Energy Commission issued its Final Decision allowing Petitioner to construct and operate the HBEP on October 29, 2014 (the 2014 Decision). The 2014 Decision can be found at: <https://efiling.energy.ca.gov/getdocument.aspx?tn=203309>.

<sup>3</sup> During the October 14, 2015, Business Meeting, the Energy Commission designated Andrew McAllister, Commissioner and Presiding Member, and Karen Douglas, Commissioner and Associate Member, as the Committee to conduct proceedings on the Proposed Project.

## Summary

The Committee hereby sets the following schedule and procedure for briefs in this proceeding.

1. Any party may file an opening brief no later than 3:00 p.m. on January 11, 2017.
2. Energy Commission staff (Staff) shall file an opening brief to address the following:
  - a. In its Final Staff Assessment, "Waste Management" section, page 4.13-7, "Waste Management," Staff has identified a new ordinance, Huntington Beach section 8.21. However, the link<sup>4</sup> provided does not direct to an ordinance, but to a worksheet. Please provide the correct citation for this ordinance.
  - b. During the public comment portion of the Evidentiary Hearing, Robert Sarvey asked a question about the parking lot being discussed. His question can be found in the Reporter's Transcript of the December 21, 2016 Prehearing Conference and Evidentiary Hearing,<sup>5</sup> beginning at page 83.
3. Any party may file a reply brief no later than 3:00 p.m. on January 18, 2017. A party need not have filed an opening brief in order to file a reply brief.
4. Except as otherwise provided in this Order, parties are not required to submit briefs. Parties may submit briefs containing legal points and authorities and argument on any point they wish to present to the Committee. Only evidence already admitted into the record may be used. Please refer to any evidence by its exhibit number as indicated on the Exhibit List found at the Energy Commission webpage for the Proposed Project proceeding:

[http://www.energy.ca.gov/sitingcases/huntington\\_beach\\_energy/index.html](http://www.energy.ca.gov/sitingcases/huntington_beach_energy/index.html)

To create an exhibit list, under the "Compliance Proceeding" box on the right-hand side of the page, click on "Exhibit List."

5. Briefs may not exceed 30 pages, using 12-point font, double-spaced.

## Public Participation

Members of the public are welcome to attend and offer oral or written comments throughout the proceeding. It is not necessary to be an intervenor to participate in the public process. Written comments may also be submitted electronically by visiting the website at:

[http://www.energy.ca.gov/sitingcases/huntington\\_beach\\_energy/](http://www.energy.ca.gov/sitingcases/huntington_beach_energy/)

---

<sup>4</sup> [http://www.huntingtonbeachca.gov/files/users/building\\_and\\_safety/CandDRecyclingWorksheetPDF.pdf](http://www.huntingtonbeachca.gov/files/users/building_and_safety/CandDRecyclingWorksheetPDF.pdf)

<sup>5</sup> TN 215154.

and clicking on the “Submit e-Comment” link in the “Compliance Proceeding” box. Otherwise, written comments may be submitted by e-mailing them to [docket@energy.ca.gov](mailto:docket@energy.ca.gov), or by mailing them by U.S. Mail to:

California Energy Commission - Docket Unit  
Docket No. 12-AFC-02C  
1516 Ninth Street, MS-4  
Sacramento, CA 95814

For all comments, please include the docket number and proceeding name (“12-AFC-02C Huntington Beach Energy Project Amendment”) in the subject line and on the cover page.

**PLEASE NOTE:** Your written and oral comments, attachments, and associated contact information (e.g., your address, phone, e-mail, etc.) become part of the viewable public record. Additionally, this information may become available via search engines, such as Google and Yahoo.

### **Public Adviser and Other Commission Contacts**

The Energy Commission’s Public Adviser’s Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Public Adviser’s Office by e-mail at [PublicAdviser@energy.ca.gov](mailto:PublicAdviser@energy.ca.gov) or at (916) 654-4489, or toll free at (800) 822-6228.

Questions of a legal or procedural nature should be directed to Susan Cochran, Hearing Officer, by e-mail at [susan.cochran@energy.ca.gov](mailto:susan.cochran@energy.ca.gov) or at (916) 654-3965.

Technical questions concerning the Proposed Project should be addressed to John Heiser, Project Manager, by e-mail at [john.heiser@energy.ca.gov](mailto:john.heiser@energy.ca.gov) or at (916) 653-8236.

Media inquiries should be sent to the Media and Public Communications Office by e-mail at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov) or at (916) 654-4989.

Information concerning the status of the Proposed Project, as well as notices and other relevant documents, may be viewed on the Energy Commission's web page at:

[http://www.energy.ca.gov/sitingcases/huntington\\_beach\\_energy/](http://www.energy.ca.gov/sitingcases/huntington_beach_energy/)

Dated: January 5, 2017, at Sacramento, California

*ORIGINAL SIGNED BY:*

---

J. ANDREW McALLISTER, Ph. D.  
Commissioner and Presiding Member  
Huntington Beach Energy Project  
Amendment Committee

*ORIGINAL SIGNED BY:*

---

KAREN DOUGLAS  
Commissioner and Associate Member  
Huntington Beach Energy Project  
Amendment Committee