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EL SEGUNDO ENERGY CENTER AMENDMENT -
INFORMATIONAL HEARING
BEFORE THE
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the: )
) )
El Segundo Energy Center ) Docket No.
Amendment ) 00-AFC-14C
_______________________________ )

EMBASSY SUITES
1440 EAST IMPERIAL AVENUE
EL SEGUNDO, CALIFORNIA

MONDAY, AUGUST 13, 2013
5:01 P.M.

Reported by:
Troy A. Ray
Contract No. 170-09-002
COMMITTEE MEMBERS PRESENT
Karen Douglas, Presiding Member
Janea Scott, Associate Member

HEARING OFFICER, ADVISORS PRESENT
Paul Kramer, Hearing Officer
Lezlie Kimura Szeto, Advisor to Commissioner Scott
Jim Bartridge, Advisor to Commissioner Scott
Jennifer Nelson, Advisor to Commissioner Douglas
Galen Lemei, Advisor to Commissioner Douglas
Eileen Allen, Commissioners' Technical Advisor for Siting

CEC STAFF PRESENT
Craig Hoffman, Compliance Project Manager
Robin Mayer, Staff Counsel

OFFICE OF THE PUBLIC ADVISER
Alana Matthews, Public Adviser

APPLICANT
George L. Piantka
NRG Energy

Locke Lord, LLP

John Chillemi
NRG Energy
Scott Valentino  
NRG Energy  

Ahmed Haque  
NRG Energy  

Tony Cordero  
NRG Energy - West  

Sean Beatty  
NRG Energy - West  

INTERESTED GOVERNMENT AGENCIES  

Matt Stauffer  
Assembly Member Steven Bradford  

Marc Serna  
West Basin Municipal Water District  

Kimberly Christensen  
City of El Segundo  

Greg Carpenter  
City of El Segundo  

PUBLIC  

Bob Perkins  
Michael Colacion  
Michelle Murphy  
Madeline Cripe  
Lyle Cripe  
Alfred Sattler
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P R O C E E D I N G S

5:01 P.M.

PRESIDING MEMBER DOUGLAS: All right, good evening everyone. Welcome to this public informational hearing on the proposed El Segundo Energy Center amendment. I am Commissioner Karen Douglas. I'm the presiding member assigned to this Committee.

To my left is our hearing officer Paul Kramer and to his left is Commissioner Janea Scott. To Commissioner Scott's left -- oh help me.

MS. KIMURA SZETO: Lezlie.

PRESIDING MEMBER DOUGLAS: Lezlie Mura Szeto (phonetic), Mura Szeto -- Commissioner Scott's --

HEARING OFFICER KRAMER: Kimura Szeto.

PRESIDING MEMBER DOUGLAS: -- Kimura Szeto, Commissioner Scott's new advisor and to Lezlie's left is Jim Bartridge, also Commissioner Scott's advisor.

Moving to my right now, to my immediate right Jennifer Nelson and to Jennifer's right Eileen Allen, she's the technical advisor to all the commissioners for siting. Jennifer Nelson is my advisor and to Eileen Allen's right is Galen Lemei. He's my advisor.

So with that let me ask if the applicant, if you could introduce yourselves please.
MR. MCKINSEY: Good evening, John McKinsey, I'm counsel for the applicant El Segundo Energy Center LLC. That's a wholly owned subsidiary of NRG Energy. Besides myself two other people I know you will hear from briefly tonight are John Chillemi, he's the President of the West Region and a Senior Vice President for NRG Energy and he'll make a couple of welcoming remarks, and then George Piantka, who is the Project Developer Manager for NRG for this project. He's the one who will give the presentation from NRG.

PRESIDING MEMBER DOUGLAS: Great, thank you. And staff?

MR. HOFFMAN: Good evening, my name's Craig Hoffman. I'm the Compliance Project Manager for this El Segundo Energy Center amendment.

PRESIDING MEMBER DOUGLAS: Good morning, thank you.

Hildeberto Sanchez or Eddie Simons from the Laborers' International Union?

MS. MAYER: I'm Robin Mayer, Staff Counsel.

PRESIDING MEMBER DOUGLAS: Thank you. And the Public Advisor, Alana Matthews. Alana if you could stand up, she's in the back of the room, so if you have questions, if members of the public would like to make comment later she's a great person to get
to know.

Let's see, is anyone here from any state or local agencies? Would it --

MR. STAUFFER: (Inaudible)

PRESIDING MEMBER DOUGLAS: Oh, if you could introduce yourself at a microphone please, the podium?

MR. STAUFFER: Matt Stauffer, I'm here representing Assembly Member Steven Bradford.

PRESIDING MEMBER DOUGLAS: Great, thank you. Anyone else here representing agencies if you could please got to the podium.

MR. SERNA: My name is Marc Serna. I'm with the West Basin Municipal Water District.

PRESIDING MEMBER DOUGLAS: Thank you, any other state or local agencies or representatives of elected officials here today? Any federal agencies represented here today? All right, thank you. Is there anyone here from the cities, the City of El Segundo or the City of Manhattan Beach representing the city government? Okay, no so probably residents yes, but not officials.

All right, so with that then let me turn this over to the hearing officer.

HEARING OFFICER KRAMER: Thank you, welcome everyone. For those of you on the telephone we
apologize for the quality of the connection. We are
doing our best. If we sound a little funny it's
because we're hearing our voices delayed and it will
take us a minute or two to get used to that.

Anyway, the purpose of this hearing is to
provide an opportunity for members of the community in
the project vicinity to obtain information and to
offer comments. Earlier we viewed the project site.
The information and public comment that you provide
this evening will assist this Committee in determining
the scope and the content of the environmental
information that may be needed to conduct a thorough
review of this proposed amendment.

The applicant will explain its plans for
developing the project and the Commission staff will
explain the amendment process and staff's role in
that, in the review of the project.

Craig, could you work the PowerPoint?

MR. HOFFMAN: Sure.

HEARING OFFICER KRAMER: Following that,
there'll be an opportunity for the public to present
oral comments and ask questions of the staff and
applicant or the Committee for that matter. To help
us organize that comment portion Alana Matthews, our
Public Advisor, has blue cards. Can you hold one up?
We'd like you to just fill in the card with your name at least and any affiliation and we'll use that to call upon you when that time comes.

For those of you who are the telephone we'll call for comments from you after the people in the room have spoken. If you're on the phone or on WebEx please mute your phone, so that your background noise doesn't make it harder for everyone else to hear us. And if you have a button on your phone use that, if not if you're on WebEx press star 6 and then press that star 6 again if you want to unmute yourself to speak. Now I could mute you here, but I'm somewhat forgetful and I might not unmute you, so it's better if you control your destiny yourself in that regard.

And one of the things we'll be talking about this evening is the process for this amendment. The Commission regulations are, because it's an amendment, they don't really say a whole lot about the process that we should use. But, and it could be as simple as the staff reviewing the amendment petition and just writing a report and putting it out for public comment, and then it could go right to the full Energy Commission. But that's not what the Commissioners decided to do for this, because we know there has been a degree of public interest in this project. So what
they did was appointed this Committee to conduct proceedings and then hold a hearing and then make a recommendation to the full Commission, another layer of review if you will than beyond what's absolutely required.

And what we generally do in these situations is we use a process that's similar to the process for a brand-new power plant permit, what we call an Application for Certification. So we'll be talking about the details of that process on some of the slides you'll see in a few minutes.

And then the other thing we need to discuss this evening is the schedule for the processing of this project. The staff filed an issues identification report and a recommended schedule last week. It's available on the website and we'll talk more about how you would go about seeing that later. And then the applicant responded, but we're curious to hear any other thoughts people have about that this evening. And you can expect that within a week or two after this event the Committee will put out a schedule, a scheduling order and that will have a series of milestones. It's often the case that the dates change a little bit on these schedules, but it's at least a way of projecting into the future what we
think will happen and roughly when.

At the table in the back where our public advisor is sitting there's a couple of handouts. I know of two, there may be a couple more. One is the agenda for today, it's a one-pager and then Mr. Hoffman created a single-page sheet that has contact information and the addresses of some of the two web pages that the public would be most interested in.

The meeting is being recorded and we will have a written transcript produced, which I think in this case is going to be a lot better than the recording of the WebEx. So when you first speak please identify yourself and spell your name for the court reporter or give him a business card or write your name on a piece of paper or something. That's if you want it to be spelled correctly on the transcript and those of you who already identified yourselves I would suggest that you do that as well.

And then if you haven't spoken for awhile and you speak up again please just say your name. That'll help the person who's transcribing this realize that there's a new person talking and who it is and you'll get credit for your words or you're more likely to anyway.

And then finally let's not talk over each
other, so let's just speak one at a time. And please, come to one of the microphones. Anything you are to say in the middle of the seating area out there is not likely to be picked up on the transcript. So you need to come to the podium, which I think will if we could still table it we'll move it a little more to the center when we get to the public comment portion.

So without further ado let's get into the presentations. The Energy Commission has permitting authority over thermal power plants. That's something that uses heat, either the sun or geothermal or in this case burning natural gas and those plants have to be 50 megawatts or greater.

The Commission is the lead agency for CEQA for performing environmental analysis and in our cases the staff is an independent party, so they prepare an independent evaluation. They're independent of the Committee and they look at the environmental, engineering and public health aspects of the project. The Energy Commission has five members, two of them have been appointed to this Committee, Commissioners Douglas and Scott, to conduct the work of making a recommendation to the full commission.

Once the staff completes its review the committee will issue a presiding member's proposed
decision and that's their recommendation to the full Commission about what they should do with this amendment.

A couple of ground rules I need to make clear to everyone. We have what we call an ex parte rule and in Latin, the Latin translation I believe is one-sided. And the idea is that we don't want people communicating with the Committee any thoughts that aren't communicated in such a way that everybody else involved in the case can see them and respond. So it would be inappropriate for somebody to call up either the commissioners or their advisors or me and tell us, try to tell us what you think about the project and what you think we should do and give us information. That needs to happen in a public forum such as this where people can be here, they can hear what was said and then they have an opportunity to respond if they have a reason to respond.

So no talking about the substance of the case, however if somebody wants to talk about procedural issues such as when is the next hearing, it'd be something like that, that's perfectly appropriate to call me up. I'm the best person for that kind of information, but you could call one of the commissioners and they'd probably refer you to me
for that. But that's not a substantive conversation, so that's okay to have but anything that's about the facts or something that might be on the Committee's recommended decision needs to occur in a public way. It could be in the form of a public comment that you submit or a letter that we can share with everyone else or something like that, but it needs to be available to all.

And then we will segue into the applicant's presentation. So Mr. Chillemi you may be first.

MR. CHILLEMI: Thank you. Welcome everybody and on behalf of NRG I'd just like to thank you for being here tonight and taking the time for us to present this project. My name is John Chillemi and I'm the president of NRG's West Region. And just a little bit about our West Region, we have a very significant presence in California with over 8,000 megawatts of generating facilities up and down the state. All fired by either natural gas or the sun, so just two fuel types here in our California fleet.

We're also very active in improving our fleet and in a way that is consistent with state environmental policy and also in a way where we work very closely with our communities. So this year alone we've brought on two solar plants earlier this year at
Alpine and Borrego and we'll be bringing on a third large solar plant later this called Ivanpah. We've also recently brought online two natural gas facilities. The Marsh Landing Project up in the San Francisco Bay area and here close by the El Segundo Energy Center just a few weeks ago started.

These facilities are state of the art. They have significantly reduced emissions compared to other, older power plants. They are much more efficient and in this case, these two facilities led to the retirement of three once-through cooled units. So we are very interested in repowering or building plants that are consistent with state policy and are making our world better here in California.

So with that I would like to just finish introduction NRG team. John has already introduced George Piantka who heads up our Environmental Affairs and will be leading this permitting process. I'd also like to introduce Scott Valentino, he heads up our Business Development and will be leading the project overall. Ahmed Haque is head of our Asset Management here at El Segundo and also other areas. Tony Cordero is our Community Relations Director and Sean Beatty is our Lead Counsel here internally for Energy.

So with that, thank you very much. We're all
excited about this project. We're looking forward to sharing more about it with you tonight and I'll hand it over to George Piantka.

MR. PIANTKA: Thank you, John.

What I'll do is I'll walk you through a little background on NRG. NRG is our company that has grown since our initial application we filed in 2000 for the project that you saw today if you went on the site tour. NRG's growth, John mentioned in the west, our fuel types sun and natural gas, but I think the important part there is to look at our company overall.

And one thing we're very proud of is we have reduced emissions, so nearly half, 50 percent improvement of our emissions over the period of time since NRG has come to fruition. We have had a presence in this community in this El Segundo since 1998 with the acquisition of the El Segundo Generating Station. So that 50 percent efficiency is a good benchmark over that period of time. Go to the next slide?

What we do in terms of the utility scale, power generation, the type of generation you saw today, the natural gas fire, our appliance, we also do a lot of other activities. Behind the meter,
distributed energy programs, we've had a partnership with the City of El Segundo in their sustainability program for example. We're a leader in electric vehicle adoption with private investment in their eVgo brand. That's something I hope if anybody has questions, you know, something that's important to follow as the state adopts further and the country adopts electric vehicles. The utility scale solar is a good example in someone who distributes solar, but this is just the general background of that energy.

Next slide?

In terms of our solar presence in the west, Ivanpah is an iconic project. It is licensed through the state, through the Energy Commission, and that's the solar thermal project, 384 megawatts. You'll see it if you're on your way to Vegas and that's the solar thermal, but there's a number of distributed or a number of utility scale PV solar-type projects throughout our west slate.

So this process of repowering, replacing with more efficient generation of El Segundo Power started in 2000. This is the way the plant looked prior; to the North in the background in the background is Units 1 and 2. That's the area where Units 5 and 7 are currently the units you saw today if you were on the
tour. The subject of today's discussion is Units 3 and 4 replacement. Those are the units that are in the foreground.

As a whole the facility Units 1 through 4, a steam boiler, once through cooling generation that came on in the '50 and '60s. The timeframe was about 1,020 megawatts and yeah that's about the generation that was put on to the wires. Their gross output is about 1,052.

Here's the location of our plant along the coastline to the west of Vista Del Mar, south of LAX and to the west of El Segundo; Chevron's El Segundo Refinery. And what I'm showing there is just a rendering of the original project from its design perspective and you can see it has 3 and 4 to the right and basically the design of the Units 5 and 7 we saw today.

This is rendering of when we went through the permitting for the project that's built today, a little background. In 2000 we filed our application; in 2005 we received the license through the application and the recertification process. That was going to be a once-through cooled power plant and in 2007 we elected to move to a non-once through cooled plant, an air-cooled plant, what you saw today if you
were on the tour. And this is the rendering of it.

The amendment that we filed in 2007 was licensed in 2010 and it's the first of its kind, a fast start to line-cycle generation. In ten minutes you get sixty percent of your power. That's important, because we're going to talk more about that type of characteristics in the balance of the project that we're going to present today.

This is the way that the units look today actually from Unit 3 boiler area. It's a photo that shows, if you did go on the tour what we drove around, and so you're looking closest to us is Unit 7 stack and then Unit 5 is in the background.

Some of the aspects that are certainly part of public process was visual enhancements. You're looking at a 1950-60s plant that needed an upgrade on the perimeter. And a couple of shots I'm showing is on the Vista Del Mar Corridor, one of the conditions of certification compliance items under, was planting along Vista Del Mar and that's what we're showing there.

Along the left is a sea wall. We saw the backside of it, the less interesting side of the sea wall, but it is a wave pattern. It's a pattern that was selected really came out of kind of the public
process and what you see, these little alcoves are intended to be some low water, low maintenance planting. And then there's the bike path that many in this community enjoy and use.

What I'm showing to the left is the existing view. Units 3 and 4 are present, Units 5 and 7 are in the background and this is the observation point from the beach area.

To the right is a view in the future. That looks at a period of about ten years from now. It is a view of the proposed generation in the foreground. That would be Unit 9 and the smaller units are 11 and 12. These are just numbers. We kept the same numbering system, we added or I should say we added on to it. The units that we originally started with are 1 through 4, steam boilers 1 through 4. We've built Units 5, 6, 7 and 8; 5 and 7 being the stack, 7 and 8 being the steam boilers or steam turbines I should say.

And this project is proposing Unit 9 as another gas turbine that'll be a combined cycle with the steam turbine of Unit 10. And then the two smaller stacks are peaking units that we refer to as 11 and 12, so if you're keeping score at home that's the numbering system for it. But what we're proposing
in this project is one combined cycle and two peaking units and I hope that makes it simpler.

Here's a view from the beach looking to the southeast and so Units 7 stack is what is existing and that has the blue and the white stack area. And so what you're looking at is Unit 9 stack and a cooling system, that rectangular system and then the two peaking units 11 and 12.

Part of this project is proposing a new location for the admin building and the original licensing for the project, the license that was issued in 2005 had an admin building that was a little further east and north of the location we're showing there. So this is a rendering of an admin building. This is certainly a sample of what an admin building could look like. And that admin building is approximately where the tent was today.

The project timeline is shown there. We filed our amendment, our petition to amend the El Segundo Energy Center Project. We filed that with the Energy Commission in April. We filed our air-permit application in March for these new units that we describe. And what this timeline -- and scheduling is certainly an important part of this process, so I just have a timeline here that's for discussion. But if
you look at anticipating a decision in September 2014. I think one important part that I show there in December 2015 is that steam boiler, Unit 4, is subject to the State Water Board's once-through cooling policy. And that compliance date is December 31, 2015.

How we've elected to comply with that is to replace that steam generator, that steam unit, Unit 4, with this more efficient combined cycle air cooled, that doesn't rely on ocean water and so our intent right now shows that we meet that compliance date on 12/31/15 by retiring it in that timeframe in favor of this new generation.

A couple of other dates there. If the schedule were to proceed we estimate about May 2016 we would complete the removal of Units 3 and 4 creating the footprint for the new generation. And that would start the construction for the new generation estimating a timeline of about two years completing it and being online as soon as June 2018.

A lot of detail on the drawing, but I think the important part of what's showing there is to the left that's in the grayscale, is the generation that's been built. And in the center that rectangular is the air-cooling system for Unit 9 and then the peaking
units are also in that center box if you will. That's the general footprint of where we would build. That's the footprint of Unit Steam 4.

And the other part we're showing is when you came in from the guard shack area you came down the road and meandered down the plant grade. What we're proposing is a road that would cut to the left, cut to the south and allow access into that tank farm area. That would just facilitate people like ourselves today, that have business at the admin building and don't need to drive all through the power plant. It would facilitate an easier way to get to the administrative building, so that's what we propose.

In that rectangular section there is the footprint of the admin building and parking is to the right. So this is consistent with the current license where our parking in that area would be for administrative support, for administrative functions would be in the northern half of the tank farm area.

If you like 3-D simulations, this just shows the same as we had in the simulation before. It shows the air-cooling system, the longer rectangular one, and then the peaking units.

So here's an overview of the project. The combined cycle generation is about 325 megawatts
provided. It's a GE configuration. It's also fast-start like our generation we saw today, we can have 75 percent of our generation up and running in as soon as 10 minutes. And then thereafter the steam cycle would kick in, in an hour or two and that's the beauty of the combined cycle. It's the efficiency of more efficient new gas turbines capturing that heat that it produces and utilizing that heat to run a steam turbine.

The two peaking units are about 55 megawatts each and these are intended to provide just a smaller generation the grid would need. It could come on quickly, come off quickly, provide that kind of load-shaping support. These kinds of units, both the peaking generation and this fast-start combined cycle are ideal as support renewable generation. You know, as a leader in bringing on renewables, meeting new state policy of 33 percent renewables, we see more and more throughout the state. And so having this kind of generation that they come on quickly like the El Segundo Energy Center and what we're proposing here is very ideal. When the sun stops shining and the wind stops blowing this kind of generation can come on very quickly.

The steam boilers that are still present
today, those units take 12 hours to heat up to get to
temperature an then be able to provide the kind of
generation. So typically you might see them starting
up in the evening the day before and be ready the next
day. Some of the boilers, these super-critical
boilers out there, they may take 24 to 36 hours. So
putting this combined cycle peaking generation like
this is definitely a benefit for bringing the energy
when we need it.

Both the peakers as well will have fast start
and part of what we're looking at there is a response
from Utility; we'll look through the long-term
procurement process. Utility will put out requests
for offers and what's been identified is about 1,200
megawatts in the West L.A. area. So the generation we
propose here, 325 megawatts and another 110 from the
peaking, so it's about 435 megawatts is intended to
help support that need that's been identified.

This project is consistent with CEC
objectives. We're utilizing brownfield. We're
utilizing an existing industrial facility that has all
of the infrastructure in place, the transmission,
natural gas, water.

But I'm proud to say this facility now has a
reclaimed water supply through West Basin, so we're
moving to and have moved to and are utilizing reclaimed water for our steam cycle for the new generation for our irrigation uses. And so that reclaimed water was commissioned in the second quarter and that water is available in perpetuity, but certainly to support the new generation.

The other part about the facility and one that we've built and what we propose to build through this amendment process is a facility that would be zero liquid discharge. So what we're able to do, the water, the industrial water that we capture from the steam cycle we're able to capture it, put it in the storage tanks, raw storage tanks, recondition it and reuse it. So, you know, another important attribute of what you saw today and what we're proposing in the future is to continue that zero liquid discharge objective.

A couple of other aspects of the project; I mentioned that administration building. You know, a modern facility with a LEEDS objective of having a facility that is the most efficient type of buildings that the state would want to see. But we also see some other opportunities to improve along the lower 45th Street area, improve access to the beach area. So that's an area that we had as part of this process.
And then part of the admin building I mentioned is including that road and I think it'll allow a better opportunity of how we would go in and out of that particular area of the plant.

As I mentioned the air permitting process has started. South Coast AQMD has received our applications and they are in the process of doing their analysis for this, what we're referring to as a Title V federal EPA Title V program where we're a Title V facility. El Segundo Power is a Title V facility, so what we have is a modification of that facility by taking out emission equipment in Units 3 and 4 steam boilers, replacing them with the new generation.

And as part of the process they look at emission offsets following air district rules. And the mission offset program is essentially a program that the district has where they're incentivizing the replacement of these old steam boilers for far more efficient generation and using their offset bank as part of the source of air emission credits. So the district's in the process of doing their air quality impact analysis and then they'll also process the PSD application.

So that concludes my presentation.
HEARING OFFICER KRAMER: Okay, thank you.

Now, Craig is going to make staff's presentation.

MR. HOFFMAN: Good evening, again. My name's Craig Hoffman, I'm the Compliance Project Manager for this amendment and before we get started again there is a one-page handout in the back of the room. It's got my contact information on it.

For a lot of people seeing these slides there's a lot of information to process. If you have a question give me a call, shoot me an email, a lot of times that makes it easier. But from staff's perspective I'm in charge of helping process this amendment and if you have any questions please give me a call.

I was going to offer one other thing. Both of these --

MALE VOICE: Craig, is your microphone on? I can't hear you.

MR. HOFFMAN: Oh, sorry. Sorry, hold on.

One other thing, both of these PowerPoint presentations both by the applicant and by the Energy Commission we will post to the website. So if anyone's looking to see those we'll have them up probably by tomorrow.

MS. MATTHEWS: Craig, can I just make one
announcement, because it's happy hour, so there's
music there so we kind of have a hard time hearing. I
would suggest you just moving up closer and everyone
else who will be making a presentation please speak up
a little louder, because the music is very loud back
here.

MR. HOFFMAN: Okay, is this not loud enough
into the mic? You're not catching this?

MS. MATTHEWS: I can hear you, but actually
at our hotel (inaudible)

MR. HOFFMAN: Is this not, this doesn't work?

MALE VOICE: I think that music is kind of
drowning you out.

MR. HOFFMAN: Is this on, whoa. Closer, does
that sound right?

MS. MATTHEWS: That's better.

MR. HOFFMAN: Is that better? Okay.

MS. MATTHEWS: And then there are lots of
seats in the front row.

MR. HOFFMAN: And I don't bite. Again, thank
you for being here tonight. An overview of the
amendment process, the Committee is going to determine
whether impacts will change as a result of the
amendment. And to reach that as part of staff we're
going to work through a discovery and analysis
process. Staff issued an Issues Identification Report last week. We issued some data requests yesterday that asked questions and clarify some of the project objectives and project description.

Ultimately we're just starting this process. There's going to be public workshops and that's one thing that I want to make sure everyone's aware of. You haven't missed anything yet. The process is just starting.

We're going to have public workshops on two documents that we ultimately prepare. One, the Preliminary Staff Assessment, that's staff's independent analysis of the project. When we publish that document there'll be a public workshop in which people can take a look at that, ask any questions about that. At that point and time staff answers any questions. If you have certain concerns about whether or not there's going to be items within the analysis definitely give me a call or provide some type of public comment. We'll make sure that analysis takes place in those documents.

After public workshops staff will prepare a Final Staff Assessment. This will be staff's evidence and testimony that is then transferred into Committee-led evidentiary hearings. Again, there are hearings
on staff's document as well as the applicant provides information. The public provides information, intervenors if there are any on this project provide information. And the Committee ultimately will take all this information and come out with a decision.

There will be hearings on the presiding member's proposed decision and ultimately that document goes before the full Commission for a decision.

Staff's role is to determine if the project as modified will remain in compliance with all applicable laws, ordinances, regulations and standards. And staff will prepare an independent analysis. We're an independent party to this proceeding.

During our review of this process or project we will determine if it's compliant again with all laws, ordinances, regulations and standards. We'll conduct engineering and environmental analysis in 22 different technical sections, identify any issues, identify any environment impacts and propose mitigation measures as necessary and recommend conditions of certification to the Committee.

We will facilitate public involvement and hold workshops. They'll be held at a later date and
will be identified as part of the project schedule.

As part of our review we do work with local, state and federal agencies. Some of those are identified here including both cities of El Segundo, Manhattan Beach, County of Los Angeles, the California Coastal Commission, the State Lands Commission, South Coast Air Quality Management District and any local native tribes that may have interest in the project site.

At the end of this process once staff has completed their documents the Committee will conduct evidentiary hearings on the project and ultimately issue a presiding member proposed decision. And that PMPD contains findings related to environmental impacts, public health, engineering, making sure the project's consistent with all laws, ordinances, standards and regulations and recommends whether or not to approve that amendment to the full Commission.

Staff did prepare an Issues Identification Report last week. It's our first-blush attempt at identifying if there's any key issues that we think could impact schedules or require a significant data. And within that Issues Identification Report we found two significant items: one, in the regard to the environmental justice population and two, a schedule
that might be impacted by the South Coast Air Quality Management District.

Based upon the 2010 Census that just came out staff looks at a six-mile radius of the project site. And within that six-mile radius we found that there was a 63.4 percent total population that constituted an environmental justice community.

Staff will review the impacts of the project, the construction and operation of the proposed project to determine any impacts and necessary mitigation and staff will continue to work with the Hearing Officer and Public Advisor on public outreach regarding the project and impacts. And tonight, if you know of any groups or agencies that we should definitely add to the list, please let us know.

With air quality one of the items that is driving a portion of this schedule is when staff anticipates the preliminary determination of compliance and final determination of compliance for the local air district. And right now it's expected the preliminary determination to come out in November of this year and a final determination in about April of 2014. Staff utilizes this information as part of our analysis, so this will be a driving force in the schedule.
And this is staff's proposed schedule. Again, we are just at the beginning of the project. We have in August, issued our Issues Identification Report. We've issued some preliminary data requests. They'll be additional. Both of these reports are online and if you wanted a copy please let me know. Right now we anticipate, again working through gathering data on the project, we identify in November South Coast Air Quality Management District again filing that PDOC. We consider this Day One and if you could go to the next slide?

Staff anticipates completing our Preliminary Staff Assessment 30 days after the PDOC comes in. Then we'll have a staff workshop about 15 days after that document is issued. And the comment ends on that preliminary staff analysis on about 30 days after that. We anticipate again, the air district filing the final determination of compliance in March or sorry, April and a Final Staff Assessment published in May. And then the to-be determined dates are determined by the Committee.

And that completes my presentation. Again, if you have any questions please let me know. I know that's a lot of information upfront, but give me a call, shoot me an email, I'm here to answer any
questions you have and I'll be here after these presentations as well. Thank you.

HEARING OFFICER KRAMER: I've got one for you. It looks like you allowed 45 days for comment for the publication of the PSA. So it was 30 days after the comment hearing, which was 15 days after. Was that intentional or...

MR. HOFFMAN: No, it was meant to be 30 days if it said, if it came up being more than 30.

HEARING OFFICER KRAMER: Okay, so you'd be happy with 30 days after the publication?

MR. HOFFMAN: Correct.

HEARING OFFICER KRAMER: Okay, thanks. So now it's time for our Public Advisor to explain to you how the public can participate. And ignore me for a minute, but I'm going to if the Web is working I'm going to bring up the project’s page to illustrate how we would use the Internet, but I'll do that after your presentation.

MS. MATTHEWS: Okay, and that's actually included.

Good evening, I am Alana Matthews. First I just want the commissioners to know that we do have representation from the City of El Segundo, so when you called that earlier we have Kimberly Christensen,
who is the Planning Manager and Greg Carpenter, who is the City Manager.

So I am the Public Advisor and what that is, is that I am an attorney who is appointed by the Governor to ensure that the public and interested parties have effective participation in our processes and understand how to do so.

I have three main responsibilities when it comes to siting cases. The first is to help the public understand what our process is about, so just understanding the general process, which Craig just went through. The second is to make a recommendation on the best way to participate in our processes. There's a kind of formal, more formal way to participate, and an informal way. And then last is to assist in successful participation.

So I like to explain that assist does not mean legal advocacy even though I am an attorney, but it's to ensure that you have an opportunity to speak or that if there's translation services that are needed you can have that. If there's any disabilities and you need any accommodations you will contact my office, so we can make sure that that can happen. And again, another way to ensure that is through outreach, so next slide please.
So one of the ways we accomplish outreach is simply by sending out notices to all of the city and county officials, Native American officials and members, broad categories: members, hospitals, private schools. We also put an ad in the newspaper, local libraries and each siting case is on a case-by-case basis, so we may not reach out to all of these organizations, but certainly as Craig said earlier if there's any organization you think we should reach out to, that they may not be aware of, please let us know. Next slide?

So the reason why we sent out these notices is so that people can participate, so let's talk about how you can participate. The first level is public comments, that's the easiest. You can make verbal comments or written comments today. If you want to make a verbal comment you just fill out the blue card and you'll be recognized by the Hearing Officer. Or you can send your written comments, you can submit it to the Commission Dockets Unit. That email is up there.

Those comments are considered by the Commissioner, so it is important. We want all the input that anyone who's an interested party wants to give. And they become part of the record, but they
are not considered evidence and they cannot be the sole basis of a decision. So it's given a little bit more weight when it's considered evidence and if anyone needs further explanation I'm happy to answer those questions, but I don't want to take up too much time here.

It is important to note that if you intervene as early as possible, it's important to intervene as early as possible to be most effective. And one of the reasons is because for discovery. So when you want to request information, if you want to request documents as a party if you're intervening you have the opportunity. You know, you're required to have certain information provided to you. Obviously if you have questions and you want follow-up you can do that as a member of the public. You can submit those to the Docket Units and have answered, but if you want to be sure you are given certain information if you ask for it that can only be accomplished as an intervenor.

So the second level of participation is as an intervenor. So anyone may file a petition to intervene in a Commission proceeding. The petition is considered by the assigned Committee. If approved you become a party to the proceeding. Intervenors can present evidence at the hearings and question the
staff as well as the applicant's witnesses. You do not have to be an attorney although we do have a lot of attorneys who are here who are members of the public as well to intervene. And the Public Advisor's Office, we're here to help you file the petition, thank you. So if you have questions about that please let me know.

How to participate? You can sign up on the Listserv. There's a sign-in sheet back there. There's a box. I ask that everyone would actually sign in, so we can make sure we know what different organizations are represented. But if you are not on the Listserv and you would like to be on the Listserv or your organization just check the box.

You can also submit written comments. Again, I've provided the docket's information and it's available back at the back table. You can attend project events such as today. If you're not able to make it you can join by WebEx. We welcome non-English speakers and again, special accommodations can be made.

So I think I will go to the next slide and we may want to share a little information between our Hearing Officer, Mr. Kramer, and myself. So you can go to our website and there's a tab at the top, which
that first red arrow points to power plant. So when you want to learn more information about the El Segundo Project you would simply tab on that. You'll get a drop-down menu and that second arrow to the far left will have power plant cases under review. Next slide.

Once you click on that, that's what you will get a list of all of the projects. And you would simply scroll down, it's alphabetical, to the El Segundo Dry Cooling Amendment. And if you wanted to enter some more information at this time you can. So actually we'll have a demonstration. I had provided screen shots, but...

HEARING OFFICER KRAMER: Working without a net.

MS. MATTHEWS: So again that's the second aerial, click on my tab then you would scroll down to the list.

HEARING OFFICER KRAMER: Okay, so this is a live page from the Web. You won't be able to see it if you're on WebEx. And if you're familiar with our pages in the past these have been redesigned, because we now have an electronic filing system that I know staff has been using. Where now parties in our cases, they just get on a special page in our, well it's
linked here if you see one of the choices in the box on the right side is to submit an E-Filing. I'm not going to take you through all that, but you can upload your own documents to the system and then the system goes and sends them out when they're approved to all the parties in the case.

    If you happen to have signed up for Listserv you'll get an email telling you that a new document was put up on our webpage with a link to the document. We're not going to fill up your email box with, you know, eight megabyte documents, because there are some of those. We had a 260-some one the other day. But there's a link, you can click on it, you go to the webpage, you can see the document.

    The other advantage of this system is that all of the documents that have been filed and electronically stored are available under the documents for this proceeding or it's called the Docket Log link. So you can see all of them. You click on the link for a particular document and you can view it in your browser or download it.

    So that's as opposed to our prior system where only the documents that somebody thought were important enough that somebody would want to see them are posted. Now they're going forward and going back
for a few years, but they're all there for you to look at. We are working on a version two of this system that will have better search capabilities, but although they're not as good as they could be once we get better at it they're still better than what we had.

And the other thing you can do on here as a member of the public is submit an e-Comment. That's the second bullet down from the top and that's a form where you do have to give your email address, because we need to be able to send you back a confirmation that your comment was accepted. But you can very easily make a comment in a text box or you can attach limited types of documents. I believe it's limited to Word files and PDF files. But that's another option in addition to emailing your documents to the Dockets email address that Alana gave you in her slides.

So we're looking forward, it's a brand-new system just starting, but we're looking forward to using this. And we certainly encourage the parties and staff to use it right away and everyone else to get comfortable to it, because there may be a point in the near future where we require its use of the parties.
MS. MATTHEWS: For those who are joining by WebEx I just wanted to state again for written comments you can submit that to dockets@energy.ca.gov. And if you need to contact the Public Advisor's Office our local number is (916) 654-4489 and we also have a toll free number, (800) 822-6288 and that is also on the Energy Commission's website under the Public Advisor's Office. Thank you.

HEARING OFFICER KRAMER: Okay, thank you. We are now at the point in the proceeding where we're going to discuss the schedule. I already asked one clarifying question of staff, Mr. Piantka I guess for Mr. -- oh, there's Mr. McKinsey. Did you have anything further to say about the schedule?

MR. MCKINSEY: No.

HEARING OFFICER KRAMER: Okay, thank you.

And we have no pending motions, so we'll go on to our public comment portion. Right now it looks like I have about five cards. Just a show of hands, is anybody else thinking about speaking, making a public comment, who has not given us a card? No, okay thank you.

Let's begin with Bob Perkins followed by Michael Colacion.

MR. PERKINS: Hi, I am Bob Perkins. And I
will have a couple of things I want to talk or ask about. The first two are procedural. Since I am the City of Manhattan Beach, the City of El Segundo and a bunch of other folks are intervenors in the power plant application to which this is, I guess an amendment, are we already intervenors in this process?

HEARING OFFICER KRAMER: No, we normally wipe the slate clean. That was a few years ago, right?

MR. PERKINS: It was although it continues. This plant is not yet certified and there have been issues during the construction, which involve the intervenors.

HEARING OFFICER KRAMER: And yeah, those were even separate proceedings. We would like you to file again if you wish to be an intervenor.

MR. PERKINS: Okay, that's clear. Second, procedurally I would question whether this actually ought to be an amendment or should be a new petition. We're building, I'll call them two although I guess correctly there are something like five or eight or something new power plants here, to replace two old ones. One of which is already either wholly or partially shut down in order to buy the credits to operate the ones that just are coming online. And the other of which is toast, because it will be illegal to
operate in a year.

So it seems to me this is as much a new power plant application as the one that was processed beginning in 2000. I'm not able to argue that as a legal matter. I haven't tried to research it. I would like to make sure that that issue is before you.

And then the other things I would like to bring up are substantive. I think it's clear that given that the old plants have to close, so that we're effectively adding 325 and 110, whatever it is, megawatts of new generating capacity there will be new pollution of all sorts caused by this construction. That's not to say we shouldn't do it, the country needs power. But it does mean that there will be issues of air pollution, potentially of noise pollution. Though it's my understanding the applicant believes that there will be no increased noise from this operation, certainly during construction, but not doing operation.

And visually, so and of the visual effects the one that most strikingly catches my eye is that part of this amendment is to move the admin building to a new location, which is both further south and further west than it used to be. Moving it, I think it's bigger too I think although I'm not sure about
that. But just moving it further south and further west makes it more in the way of views and more of a visual blight for people on the beach, for people on the water and for people on 45th Street where I live, than it would be if it were built as in the currently approved petition. I don't understand why it can't be built as in the currently approved petition.

But regardless of what the degree of environmental damage is it seems to me that yes, there should be continuing enhancements. I'm glad to see that the applicant wants to do that and I would suggest as one possible enhancement that hasn't been discussed previously. This is something of a health and safety consideration as well. On the west side of the power plant's land is as they mentioned the bike path. There is no way -- the bike path is as far as law goes bikes only, pedestrians can't walk there.

They can't walk through the power plant, so if they want to get from 45th Street in Manhattan Beach to Grand in El Segundo or any part of that stretch a) they can't get close to the water or they can't go down by the beach unless they walk on the sand, which is actually impossible much of the winter. It's easy now if you want to walk in the sand, but when the winter surf takes out the sand in front of
the retaining walls you can't do that and many people are not prepared to walk on the beach anyway.

So as a practical matter what is happening is lots of pedestrians are walking on the bike path and that's been going on for a long time. It's dangerous, it's illegal. It's not quite requiring, because they could walk on Vista Del Mar, but almost no one does that. It's noisy, it's dangerous itself, high-speed traffic and it's not nearly as pretty as down by the water.

So anyway long story made slightly shorter I would suggest that as a possible enhancement or mitigation of pollution some thought be given to building a walk path on the western boundary of this power plant's property up against that bike path.

Thank you.

HEARING OFFICER KRAMER: Thank you.

Mr. Colacion followed by Michelle Murphy.

MR. COLACION: Good evening. We're mostly hear to not write a commentary --

HEARING OFFICER KRAMER: Please say your name?

MR. COLACION: Michael, last name is Colacion, C-O-L-A-C-I-O-N.
MR. PERKINS: I'm an employee of NRG. I work at El Segundo Power Plant. I've been there most of my last 22 years there. I'm also a representative of the Utility Workers' Union Local 246 and we represent the workers of El Segundo since 1955. And we have a vested interest in seeing continued generation at the plant. But we also have a vested interest in the health and safety of our members and the continuation of our ability to operate the plant in a safe manner and an environmentally responsible manner.

So the reason for us here tonight, and my coworkers are here also, is just to kind of get involved and pay attention to what's going on with the new Committee. And besides that I really have no other further comments.

HEARING OFFICER KRAMER: Thank you.

MR. COLACION: All right.

HEARING OFFICER KRAMER: Ms. Murphy followed by Madeline, is it Cripe?

MS. MURPHY: Cripe, yeah. Hi, my name's Michelle Murphy and I live at 4420 The Strand with my husband Robert. And I'm going to repeat some of what he said, but with maybe a slightly different slant to it.

Thirteen years ago we began meeting in El
Segundo about a proposal for what has turned out to be the changes of the two power plants, the two generators and two now new generators. And at that time it was not a regular petition process, because there was an energy crisis. It turns out that energy crisis was fake and was created by NRG and other energy giants. And it meant that we had a speeded-up procedure. It was not a full rights to all the people around here to find out what was going on and to have their input.

And now we're having an amendment. It strikes me that that too is a speeded-up process that is going to keep us from possibly having -- I really am not sure. I haven't looked at the difference between an amendment and a new application.

And you say that the Energy Commission has made a decision that's going to much like the new application. But much like, is that the same as or is there in fact going to be a difference in the protections for the people that live near it between an amendment and a new application? And I would like to suggest that if there is a difference that I would like it to be the one that gives us the most protections and most time, the most chance to have input into this process.
And I also just want to mention that I know the City of Manhattan Beach will be involved in this. It's August and people are on vacation and so I'm not saying you should not hold hearings in August. I'm just saying that there are people who are not going to show up, because I called today and they said, "Oh, well half the staff is gone or on vacation and they won't be back, sorry." They will be involved, I'm sure they were involved originally.

And yeah, the administration building, the applicant says that it's going to enhance views by moving it down to a lower elevation. And that might be true if anyone was living or having their eyes viewing from the Chevron tanks, but no one lives there, no one looks at it. People driving by in their cars are not seeing the view there. In fact, it's been blocked for them by vegetation. So moving the proposed admin building down closer to the water only hurts anybody that's looking at it. Any eyes that look at it, not tanks but any eyes that look at it, are going to have that new location interfere with their views and their enjoyment of the beach.

Earlier today at the site visit someone suggested that possibly an enhancement might be a dog beach. I just want to say that those of us that live
there do not want a dog beach. I mean, maybe somebody has a dog and does want one, but don't think of that as an enhancement if someone asks you for that. A lot of people have wanted -- there is no dog beach in all of L.A., but there are 10 million and that must mean at least 20 million dogs as far as I can tell. So no, we don't want a beach there where they're all coming.

And finally we haven't been keeping -- we haven't been doing our due diligence. We have not read the whole application, I'm sure we have lots more things. I'm glad you have a process for more informal just emails, that we can talk to you about issues or things that come up. And I think that's a great thing. But I also just want to remind you I know you all know, and you say it many times, that the neighbors, the people around here know their community. And we do know it. We know it better than you do that come from Sacramento or that live elsewhere.

So please try to give us a chance to give you our input on what it is that you're doing, because I think we can make a better decision. I mean, you can make a better decision. You're the decision makers, but if you have more of our input so I'm just reminding you. I can give you specifics in the course
of this last 13 years, but there are times when you can make decisions from looking at pictures or plans or something and we know actually what happens on the ground. How this area is used. How people enjoy it. So make sure you let us have as much chance as we can for input. Thank you.

HEARING OFFICER KRAMER: Thank you. Well, and as far as input goes I encourage you to get involved in the staff process there, reading their initial work and attending their workshops. Because that's realistically where the rubber meets the road in these kind of cases and you probably know that. It's not the first time for you, right?

MR. PERKINS: Yeah.

MS. MURPHY: Yes.

HEARING OFFICER KRAMER: Okay, Madeline Cripe followed by our last, which is Alfred is it Sattler?

MS. CRIPE: Madeline Cripe, 45th and Ocean Drive, this one?

HEARING OFFICER KRAMER: The silver one.

MS. CRIPE: Okay, 45th and Ocean Drive, pretty much grew up at that corner, lived next to the power plant my whole life and probably much more of a cynic of this whole process. Bob and Michelle pretty much, I think, covered everything.
What I find particularly amusing at this point is the signage that said "Continued improvement of 45th street." I know that they've put this berm up that was supposed to be planted. I've noticed by the pictures it's what it's supposed to look like in ten years. If you look at it now there is virtually nothing. I don't know what happened with the planting, it certainly is not what I think they discussed over and over and over and over again. My mother and father were very active in that. On Vista Del Mar there is quite a bit of planting that they did do. It does look much more improved. I don't know what happened with 45th and the berm additionally to the fact that on 45th itself it's very poorly maintained. And I don't know if something is going to be done with that.

That's it, thanks.

HEARING OFFICER KRAMER: Thank you.

MS. MURPHY: Can I add one more thing, I'm sorry?

HEARING OFFICER KRAMER: Let's let Mr. Sattler go first.

MS. MURPHY: Okay.

MR. SATTLER: Hello, Alfred Sattler. I found out about this today from reading the newspaper
articles, so thank you Kristin Agostoni of the Daily Breeze.

I had a couple of questions, I don't know procedurally whether questions will be answered here or not. But the first question I had, I guess for the applicant, was what will be the efficiency for the new unit compared to the old in terms of watts produced per CO2 emitted?

HEARING OFFICER KRAMER: How about if you ask the, how many do you have?

MR. SATTLER: Actually that's, you know, I ask maybe another little question. Do you want me to ask, go through both?

HEARING OFFICER KRAMER: Yeah, give them both and then they can respond to them.

MR. SATTLER: Okay, sure. Actually then a comment that the -- a couple of comments, the pedestrian path in front actually sounds like an excellent idea to improve public access. So I'm kind of surprised not to have one already. Dog beach, dog beach was tried down in Rancho Palos Verdes fairly recently and was entirely too much of a success and was ended after about a one or two-month experiment, so keep that in mind.

And to show my complete ignorance in the
process I am wondering this is in kind of the process compared to the Redondo Beach Power Plant?

HEARING OFFICER KRAMER: Okay, I can answer that last one. Redondo Beach is recommended to be data adequate I believe at the Commission's business meeting on the 27th of this month. And if the Commission accepts that recommendation then approximately a month later depending on scheduling there'll be a meeting similar to this about that project. So it's --

MR. SATTLER: So (inaudible)

HEARING OFFICER KRAMER: It's just getting going, right.

MR. SATTLER: Okay, so this is not as far along then you're saying or this is farther along than that?

HEARING OFFICER KRAMER: I would say this project is somewhat further along than Redondo Beach, yes.

MR. SATTLER: Okay, thank you.

HEARING OFFICER KRAMER: And Mr. McKinsey or Mr. Piantka for the efficiency question.

MR. PIANTKA: I'm George Piantka with the applicant. I wanted to address the question on efficiency. You know, the simply answer is it will be
much more efficient. We talked about 30 percent more efficiency on energy or per megawatt basis, so that's a pretty fair number.

HEARING OFFICER KRAMER: So it's going from what efficiency to what, roughly?

MR. PIANTKA: I don't have the pounds CO2 per megawatt hour type numbers off the top of my head. What I do know is when you run these old steam boilers when you're not running them at full load they're even less efficient. And so you really have to think about that. We talked in numbers of heat rates and different nomenclature there, but you can be 30 or 40 percent less efficient if you're running at a low energy output as opposed to full energy output.

Now these units we're producing, you know, they turn on and turn off when you need them and so you're always going to be running at the most efficient.

HEARING OFFICER KRAMER: Okay, did anyone else wish to make a public comment? Okay, Ms. Murphy.

MS. MURPHY: Sorry, I just -- Madeline reminded me being up here. I just want to mention that her father, Lyle Cripe, died of lung cancer in December of this year. Now lung cancer, I can't tell for sure, he had smoked earlier in his life. But
perhaps living next door to this power plant for over 50 years might have contributed something to his disease and when you think in terms of pollution it's not just a statistical and not real thing. It actually happens to real people and it might have contributed to Madeline's father's death. So again, it just -- I know you know you're dealing with people, but realize that it can become very personal.

And just one more think too. George's answer is accurate, but the new power plants are new and they'll be running much more often if there's a 60 percent cap on their running. The only power plants were used, because they were expensive to run and that can kind of thing, so the difference is not per kilowatt as much as how much pollution will be in our air. And I think there will be more, I mean I know there will more, but thank you.

HEARING OFFICER KRAMER: Okay, let me turn on, let me check the telephone just to be sure that nobody was waiting there.

Okay, I see from looking at the WebEx interface that everybody who's there is on the Commission side or Mr. King was still there from his helping me earlier try to set things up. So we have nobody to ask on WebEx if they want to make a comment.
So I think that will cover everything. Again, the Committee will issue a scheduling order in a week or two. And the parties, the staff and the applicant, will go forward with the exchange of information and then draft analyses. And we encourage all of you in the public to participate in that process. Get your thoughts and concerns heard earlier rather than just at the end when the Commission looks at the results of that work.

And with that I'll turn it over to Commissioner Douglas.

COMMISSIONER DOUGLAS: All right, thank you. We want to thank everybody here today, particularly the members of the public who took time out of your busy lives to come here and be with us tonight and share your perspective with us tonight. So we'll look forward to hearing more from you and no doubt from some of your neighbors and other members of the community. And we do encourage you to work closely with staff and with the applicant in the early stages of the staff analysis.

So with that let me see if Commissioner Scott has any comments and Craig, you had a comment?

MR. HOFFMAN: Yeah, one of the questions was what's the difference between this process and a
siting case? We proposed a schedule that's a siting case.

COMMISSIONER DOUGLAS: That's correct. The schedule that you saw has all the analytical components in the process components that we would normally see.

MS. MURPHY: Then why is it an amendment? What's the difference, why is it amended?

COMMISSIONER DOUGLAS: Do you want to talk about that?

HEARING OFFICER KRAMER: The question was why is this an amendment? Yeah, it was filed that way by the applicant and I guess rhetorically why not? There's really no difference functionally, so potato or potahto (phonetic) I guess. But it has no real legal effective difference in certainly my opinion.

COMMISSIONER DOUGLAS: I would say that that's a fact-based question in terms of what effect or difference it can have. But in this case the project proposed is substantially different than the project that currently exists and really the applicant's not talking about minor modifications. The applicant's talking about taking out certain facilities and building certain new facilities.

And so as Mr. Hoffman pointed out I think the
process that the Commission has chosen to follow, both at the commissioner level and at the staff level, is a process that looks really identical to a siting process that you would normally see. So we do want to reassure you there that you're going to have a robust process.

Commissioner Scott, do you have any comments at this point?

COMMISSIONER SCOTT: I just wanted to second or echo what Commission Douglas said and thanks to everyone for taking time out of their busy schedules to come out. We really do appreciate hearing from you and also second, what she said in terms of warmly welcoming the engaged and constructive participation from folks as we continue on.

COMMISSIONER DOUGLAS: All right, so with that we'll thank you again and this informational proceeding's adjourned. I have no doubt we'll be hearing from you and we'll welcome that engagement.

(Whereupon, at 6:20 p.m., the hearing was adjourned)
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 notary public and 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 16th day of September, 2013

_____________________________________
TROY RAY
CER-369
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 reported by me, a notary public and 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 16th day of September, 2013

__________________________
Terri Harper
Certified Transcriber
AAERT No. CET**D-709