

## DOCKETED

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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of: )  
)  
Application for Certification )  
for the ALAMITOS ENERGY ) Docket No. 13-AFC-01  
CENTER AES SOUTHLAND )  
DEVELOPMENT, LLC )  
\_\_\_\_\_ )

COMMITTEE STATUS CONFERENCE

CALIFORNIA ENERGY COMMISSION  
HEARING ROOM B  
1516 NINTH STREET  
SACRAMENTO, CALIFORNIA

WEDNESDAY, FEBRUARY 25, 2015  
2:00 P.M.

APPEARANCES

Committee:

Jennifer Nelson, Advisor to Commissioner Karen Douglas

Hearing Officer:

Ken Celli

Staff:

Keith Winstead, Project Manager

Lisa De Carlo, Staff Counsel

Jared Babula, Staff Counsel

Matthew Layton, Supervising Mechanical Engineer

Applicant:

Stephen O'Kane, AES Southland Development, LLC

Jeff Harris, Ellison, Schneider & Harris, LLP

Samantha Pottenger, Ellison, Schneider & Harris, LLP

Jerry Salamy, CH2M HILL

Intervenors:

Elizabeth Lambe, Los Cerritos Wetlands Land Trust

Public Adviser's Office:

Alana Mathews, Public Adviser

Clement Hodge, Public Adviser's Office

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P R O C E E D I N G S

FEBRUARY 25, 2015 2:00 p.m.

HEARING OFFICER CELLI: Okay. It's 2:00 o'clock. Welcome everybody, this is the status conference for the Alamitos Energy Center. Today is Wednesday, February 25th, 2015. It's now 2:00 o'clock. We're at Hearing Room B at the California Energy Commission.

This is a status conference conducted by a Committee of the California Energy Commission regarding the Alamitos Energy Center. The California Energy Commission Chair has assigned a committee of two Commissioners to conduct these proceeding.

Today I, Hearing Advisor Kenneth Celli, will be handling the entire -- and conducting the entire hearing.

The Committee is Commissioner Karen Douglas as Presiding Member. We have Commissioner Janea Scott as the Associate Member. None of the Commissioners are here today nor are their advisors. This is a -- we think is going to be a quick status conference, so we didn't need everybody to be present.

I do have to take care of a little bit of housekeeping right now. Under 1105 of Title 20, our regulations, we are required to record and/or

1 transcribe these proceedings with a human  
2 stenographer. We do not have a court reporter. We are  
3 recording on the WebEx however, and so we will  
4 provide a transcript of the WebEx recording.

5 I just want to take waivers from the  
6 parties. Is there any objection from the applicant?

7 MS. POTTENGER: No objection.

8 HEARING OFFICER CELLI: Any objection from  
9 staff?

10 MS. DECARLO: No objection.

11 HEARING OFFICER CELLI: Any objection from  
12 Los Cerritos Wetlands Land Trust?

13 MS. LAMBE: No objections, no objections.

14 HEARING OFFICER CELLI: Thank you, appreciate  
15 that.

16 Now, what I'm going to do is I'm going to  
17 ask the parties to introduce themselves starting with  
18 the applicant.

19 MS. POTTENGER: Good afternoon, Samantha  
20 Pottenger, on behalf of the applicant. With us today  
21 by telephone is Stephen O'Kane with AES, Jerry  
22 Salamy, CH2M HILL and Jeff Harris with my office.

23 HEARING OFFICER CELLI: Thank you. Staff?

24 MR. WINSTEAD: Keith Winstead, project  
25 manager, Lisa DeCarlo, legal staff and Jared Babula,

1 legal staff.

2 MR. LAYTON: And Matt Layton, engineering  
3 senior.

4 HEARING OFFICER CELLI: Thank you. Ms. Lambe,  
5 please introduce yourself?

6 MS. LAMBE: Elizabeth Lambe, executive  
7 director of the Los Cerritos Wetlands Land Trust.

8 HEARING OFFICER CELLI: Thank you. She's  
9 appearing by phone for the record. The other two  
10 parties, applicant and staff, are present and in the  
11 room.

12 Are there any agencies on the phone? So let  
13 me ask it this way, first are there any elected  
14 officials or representatives from the federal  
15 government or any federal agencies on the phone?

16 (No response)

17 Hearing none, are there any members or any  
18 personnel from agencies from the State of California  
19 on the phone?

20 (No response)

21 Are there any Native American tribes on the  
22 telephone?

23 (No response)

24 Or anyone from South Coast Air Quality  
25 Management District?

1 (No response)

2 Hearing none, are there any representatives  
3 from Los Angeles County, the City of Long Beach or  
4 any other nearby towns or cities or any other  
5 agencies.

6 (No response)

7 Okay. Hearing none, let's proceed.

8 Also in the room is Alana Mathews who is our  
9 public adviser, so she's here. And if you want to say  
10 anything make sure you're sitting next to a  
11 microphone, please.

12 MS. MATHEWS: (Inaudible)

13 HEARING OFFICER CELLI: Thank you, Ms.  
14 Matthews. And for the record, the Chief Counsel's  
15 representatives Lisa DeCarlo or Jared Babula will be  
16 acting as public advisers today in the room.

17 Now, this is the third status conference  
18 that we've had for the Alamitos Energy Center  
19 Project, which was scheduled in a notice dated  
20 January 14, 2015.

21 The purpose of today's conference is to  
22 inform the Committee about the progress of the  
23 Alamitos Center's AFC, which when we talk about an  
24 AFC we are talking about an Application for  
25 Certification. So we want to know about the progress



1 and we want to help resolve any procedural issues as  
2 well as to assess the scheduling of future events in  
3 this proceeding.

4           The procedure we will follow is this. As  
5 follows first, we'll hear from applicant, who  
6 actually stated in their status report that they  
7 acknowledge that there was a meeting with staff on  
8 the 27th of January and that they would update the  
9 Committee on the progress of the supplemental filing  
10 today.

11           And secondly, we will hear from staff, who  
12 according to their status report, the current  
13 description of the project is 1,640 megawatt  
14 combined-cycle power block and four LMS-100 simple-  
15 cycle combustion turbine generators with a  
16 commencement of COD, a Commercial Online Date, of  
17 3 -- that would be March 1st, 2020.

18           And finally, we will hear from Los Cerritos  
19 Wetlands Land Trust who stated in their status report  
20 that there was really nothing new to report.

21           And the record should reflect that Jennifer  
22 Nelson is here and she is Commissioner Douglas's  
23 first advisor.

24           So with that I'm going to turn it over to  
25 applicant. Let's hear from the applicant, please. Ms.

1 Pottenger?

2 MS. POTTENGER: Thank you, Hearing Officer  
3 Celli. We just want to thank the Committee again for  
4 holding these status conferences. We think they're  
5 really helpful at keeping the process on track.

6 There is not a whole lot new to report that  
7 was not written in our status report. We did have a  
8 very productive meeting with CEC on January 27th. The  
9 purpose of that meeting was primarily information --  
10 well was information exchange. We received a lot of  
11 helpful feedback from CEC staff regarding the  
12 informational needs that they have and what they  
13 expect to see in the supplemental filing.

14 We are hoping to have the supplemental  
15 filing submitted to the Commission in August or  
16 September of this year. And I think that is all we  
17 have to report for today besides the fact that we're  
18 continuing to work really hard on the supplement.

19 The only other matter that we have for your  
20 attention today is just to discuss scheduling of  
21 status conferences if you would like to discuss that  
22 now.

23 HEARING OFFICER CELLI: We do, let's get to  
24 that after we hear first from all the parties and  
25 then let's talk about scheduling.

1 Staff, Ms. DeCarlo?

2 MS. DECARLO: Hello. Yeah, we had a very  
3 productive meeting. We think we were able to convey  
4 staff concerns about informational items in the  
5 supplemental and we got a quick description of the  
6 intended changes to the project, which is very  
7 helpful to give us an understanding of where things  
8 might be heading. And we look forward to a more  
9 formal submittal that addresses staff's information  
10 requests.

11 HEARING OFFICER CELLI: Thank you. Ms. Lambe,  
12 anything?

13 MS. LAMBE: No, I don't have anything at this  
14 point.

15 HEARING OFFICER CELLI: Okay. Then let's talk  
16 about scheduling. And I want to just say I gather  
17 from reading the staff's reports that while it  
18 appears there's a lot of activity going on, I'm not  
19 so sure that it sounds like there's a lot of activity  
20 that requires the attention of the Committee just  
21 yet.

22 And I want to refer everyone back to our  
23 notice of January 14th, because we what we noticed  
24 were a group of status conferences to occur pretty  
25 much every other month. Today is February 25th. We

1 had one scheduled for April 27th; Monday, June 29th;  
2 Wednesday, August 26th and Monday, October 19th.

3 And it sounds to me -- and I'll hear from  
4 the parties on this -- that we probably don't need,  
5 probably April or June for a status conference. How  
6 do you feel about that, Ms. Pottenger?

7 MS. POTTENGER: The applicant agrees with  
8 your assessment. We would suggest that April 27th  
9 status conference be cancelled, but that we hold on  
10 to the June 29th status conference for now, because  
11 that is a little bit closer to the expected filing  
12 date. And if for some reason a status conference is  
13 needed between now and June or perhaps even after  
14 June we can file a request to do so.

15 HEARING OFFICER CELLI: Okay. Staff, anything  
16 on that?

17 MR. WINSTEAD: Staff agrees with the  
18 cancelling of April 27th and keeping June 29th on the  
19 books and if there's nothing in activities at that  
20 time then they can make a motion to cancel that one  
21 also.

22 HEARING OFFICER CELLI: I mean, just to throw  
23 this out, another option is I could put out an order  
24 to that vacates all the listed dates and wait for the  
25 parties to make a request to set a status conference

1 and then take it from there. The only benefit to  
2 keeping the dates that we have is I've already locked  
3 in hearing rooms and it's already on the  
4 Commissioners' calendars. But they're so far out and  
5 these things always seem to change a lot anyway.

6 But just in terms of confusion down the  
7 road, what I always worry about is if you put out a  
8 notice in January and come August people are  
9 wondering well where's the notice, because at that  
10 late date no one's thinking that way back in January  
11 we noticed a August hearing. So I'm of two minds  
12 about this. I just want to hear from the parties.

13 I'm thinking it might just be easier to  
14 vacate all of the dates and wait to get some sort of  
15 a request or a motion from one of the parties saying,  
16 "It's time for a status conference." What do you  
17 think about that?

18 MS. POTTENGER: From the applicant's  
19 perspective, obviously the time with the Committee is  
20 crucial. And we would recommend that you actually  
21 keep the order as is and perhaps vacate just as the  
22 April 27th. So perhaps issue a new order outlining  
23 again all the dates of the status conference, just  
24 with April 27th removed to prevent confusion in the  
25 future. So you'll have the most recent order with the

1 proper dates for the status conference.

2 But holding the calendar times for the  
3 Commissioners, because we know their time is  
4 precious. So we'd like to keep a hold on that if we  
5 can.

6 HEARING OFFICER CELLI: Okay. That's  
7 reasonable. And then I could actually reissue a  
8 notice as we near the due date just to make sure  
9 everybody's on board.

10 MS. POTTENGER: Exactly.

11 HEARING OFFICER CELLI: So then Ms. Lambe, we  
12 didn't hear from you on this?

13 MS. LAMBE: We don't have an opinion.

14 HEARING OFFICER CELLI: Okay. Really, the  
15 point of all this is that we really want to make sure  
16 that we've got something to talk about and we're not  
17 dragging people all over the state for status  
18 conferences when they're not going to be productive.

19 So with that then I guess we can vacate the  
20 April 27th date and issue a new order preserving the  
21 June 29th, August 26th and October 19th dates. These  
22 are all at 2:00 o'clock.

23 And then I can change the names. Just for  
24 everybody's information Hearing Room B, which is  
25 where we're broadcasting from now is now the Imbrecht

1 Room and Hearing Room A is the Art Rosenfeld Room.  
2 And so I think in our notices we have to call them  
3 that from here on out. So A is A for Art Rosenfeld  
4 and B would be -- what was Imbrecht's first name?

5 UNIDENTIFIED MALE: Charles.

6 HEARING OFFICER CELLI: That doesn't help me.  
7 Okay. Chuck Imbrecht, all right. So we're going to be  
8 in this room in June and Hearing Room A after that or  
9 we will be in the Imbrecht Room for June and the  
10 Rosenfeld Room for August and October.

11 So is there anything further from the  
12 applicant?

13 MS. POTTENGER: No.

14 HEARING OFFICER CELLI: Staff?

15 MS. DECARLO: No.

16 HEARING OFFICER CELLI: Ms. Lambe?

17 MS. LAMBE: No.

18 HEARING OFFICER CELLI: Okay. Then at this  
19 time, we're going to ask if there's any -- I have  
20 Clement from the Public Adviser's Office to -- and  
21 Mr. Clement, what's your last name?

22 MR. HODGE: Hodge.

23 HEARING OFFICER CELLI: Hodge, Clement Hodge,  
24 I need you to step up to a microphone if you would,  
25 so I can ask you a question and you can state on the

1 record the answer.

2 Oh, just let him come to the mic please.

3 We've had some technical difficulties there.

4 Go ahead, please state your name.

5 MR. HODGE: Clement Hodge.

6 HEARING OFFICER CELLI: And you're with the  
7 Public Advisor's Office?

8 MR. HODGE: Correct.

9 HEARING OFFICER CELLI: Are there any members  
10 of the public that would like to make a comment here  
11 today?

12 MR. HODGE: No, there is not.

13 HEARING OFFICER CELLI: Okay. Good, then  
14 let's go to the phone. Is there anyone on the phone  
15 who would like to make a comment at this time, please  
16 speak up?

17 (There were no public comments received and the  
18 status conference was adjourned.)

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**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 transcriber 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 4th day of March, 2015.



Myra Severtson  
Certified Transcriber  
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