

DOCKETED

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Memorandum

Date: October 15, 2015

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To: Karen Douglas, Commissioner and Presiding Member
Janea A. Scott, Commissioner and Associate Member

From: California Energy Commission – Christopher Meyer
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Subject: ALAMITOS ENERGY CENTER (13-AFC-01) STATUS REPORT 11

In response to the November 5, 2014 Power Purchase Agreement from Southern California Edison (SCE) for the Alamos Energy Center (AEC), AES is currently developing a Supplemental Application for Certification (SAFC) to address significant changes in the equipment, configuration and capacity of the proposed facility. The commercial operation date for the Power Purchase Agreement signed with SCE would be March 1, 2020. Staff confirmed with the Applicant's contractor that the proposed October 23rd submittal date for the SAFC is still accurate.

Staff has built an updated project team to address retirements, reassignments and workload changes that have occurred since work on the Preliminary Staff Assessment (PSA) halted in response to the announced redesign of AEC and filing of the SAFC. Along with updates to the project team, staff is examining work authorizations for any continuing contracted project team members. Staff is also preparing a matrix of major project issues and components to allow for an accurate comparison between the original and supplemental AFCs. Although the redesign will primarily impact the Air Quality and Facility Design technical areas, other Engineering Office and Environmental Office technical sections, such as Visual Resources, Waste Management and Traffic and Transportation, will require significant revisions to address changes in the SAFC.

The applicant provided a proposed schedule as Attachment A to Status Report #11. Staff has reviewed this schedule and notes that the applicant has allowed staff 30 days to review the changes in the SAFC and file the first round of Data Requests. Additionally, staff notes that the close of discovery in the applicant's proposed schedule is 100 days from the filing of the SAFC. Staff recognizes that meeting these accelerated dates is greatly dependent on the clarity and completeness of the SAFC and the applicant's response to issues raised by staff in the informal meeting on January 27, 2014 to exchange information, as well as staff workload during that period. Therefore, staff requests that the standard 180-day discovery apply to address any unanticipated issues in the as of yet unseen SAFC. The applicant's proposed date for the Data Response and Issues Resolution Workshop is only 26 days after staff's filing of the Data Requests and does not leave adequate time for staff to receive and review the applicant's responses prior to the workshop. As the PSA is typically filed approximately 45 days after the Preliminary Determination of Compliance (PDOC) from the South Coast Air Quality Management District (SCAQMD) and the PDOC has historically been filed 180 days after the AFC is accepted as Data Adequate, staff is concerned that the applicant's proposed filing date for the PSA of 120 days after filing the SAFC may not be possible.

Staff has provided a proposed schedule below that acknowledges that the Data Adequacy and Issues Identification steps were completed after the filing of the original AFC. Staff's schedule reflects both of these completed steps and the necessity to reopen discovery and repeat certain steps in order to address the revisions to the originally filed project. Although staff's proposed schedule is not as aggressive as the schedule proposed by the applicant, staff will strive to accelerate the filing of the PSA and FSA if the documents from the SCAQMD are received ahead of schedule. Staff's proposed schedule also includes the monthly status reports and bi-monthly status conferences ordered by the Energy Commission Committee assigned to the AEC proceeding.

**ENERGY COMMISSION STAFF'S PROPOSED SUPPLEMENTAL AFC SCHEDULE
Alamitos Energy Center (13-AFC-01) – as of 10/15/15**

ACTIVITY	DATE
Original AFC Filed by AES.	12/27/13
Original AFC accepted as Data Adequate	3/12/14
Staff files Issues Identification Report	4/17/14
Staff files first round of Data Requests	4/24/14
Informational hearing and site visit	4/29/14
Applicant files Data Responses	5/26/14
Staff files second round of Data Requests	6/26/14
Applicant provides data responses	7/25/14
PPA with SCE prompts AES to redesign project with new equipment and reduced capacity	11/5/14
Supplemental AFC filed by AES	10/23/15
Monthly Status Report #11 (and 15 th of each month until FSA filed)	11/16/15
Status Conference* (bi-monthly as scheduled by Committee)	TBD
Staff files first round of Data Requests for SAFC	11/30/15
Applicant files Data Responses	12/30/15
Data Response and Issue Resolution Workshop	1/6/16
Discovery closes	4/20/16
SCAQMD issues Preliminary Determination of Compliance (PDOC)	4/20/16 (SAFC Filing + 180)
Applicant submits supplemental information resulting from workshop (if necessary)	2/6/16
Preliminary Staff Assessment published	6/3/16 (PDOC + 45)
Preliminary Staff Assessment Workshop	6/17/16 (PSA + 15)
SCAQMD issues Final Determination of Compliance (FDOC)	6/20/16 (PDOC + 60)
Final staff assessment published	8/4/16 (FDOC + 45)
Prehearing Conference*	TBD
Evidentiary hearings*	TBD
Committee files Presiding Members Proposed Decision (PMPD)*	TBD
Committee Hearing on PMPD*	TBD
Committee files errata or revised PMPD (if necessary) *	TBD
Energy Commission final Decision*	TBD

 Completed steps

* The assigned Committee will determine this part of the schedule.