

DOCKETED

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STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:)
)
Application for Certification for the) Docket No. 13-AFC-01
Alamitos Energy Center)

**ALAMITOS ENERGY CENTER
STATUS REPORT #17**

Pursuant to the *Committee Scheduling Order* issued on January 14, 2016,¹ AES Alamitos, LLC (the “Applicant”) files this status report to inform the Committee on the progress of the Alamitos Energy Center (“Project”) Application for Certification (“AFC”) proceeding.

At the Committee Status Conference on March 24, 2016, the South Coast Air Management District (“SCAQMD”) informed the Committee that it was planning to publish the Preliminary Determination of Compliance (“PDOC”) on or before April 20, 2016.² We have not been informed by the District that it is unable to meet this target date. Therefore, pursuant to the Committee’s published schedule, the Preliminary Staff Assessment (“PSA”) will be due, nine days thereafter, on April 29, 2016. If there is a delay in publication of the PDOC beyond April 20th, the Applicant does not object to a day-for-day extension in the publication of the PSA.

At the March 24, 2016 Status Conference, Staff stated that it would make its best effort to issue the PSA on April 29th. If Staff had any concerns about the schedule, or if additional time was required, such concerns should have been raised at the Status Conference, so that any scheduling issues could have been directly addressed. However, Staff’s *Status Report 17*³ now

¹ TN#: 207316.

² 3/30 RT 12:13-17.

³ TN#: 211046.

suggests that Staff is “not confident” that Staff will be able to meet the current Committee Schedule.

We are not certain whether this statement is a request to amend the *Committee Scheduling Order*, or a unilateral announcement by Staff of its intent to disregard the *Committee Scheduling Order*. In either event, Staff did not offer and has not offered good cause for any delay beyond the vague assertion that the “standard practice” is to allow 30 days after publication of the PDOC for release of the PSA. Even assuming *arguendo* that the *Committee Scheduling Order* did not follow the “standard practice”, the *Committee Scheduling Order* was unambiguous and put Staff on notice on January 14, 2016 that a more focused effort would be required in this instance.

Similarly, Staff’s mere assertion that additional time is necessary to complete the Transmission System Engineering section of the PSA is not good cause for delaying publication of the PSA. There are no outstanding data requests relating to this issue, no recent records of conversation, nor even any evidence that Staff’s questions are relevant to matters that this Commission must decide. Thus, there is no reason why an additional 30 days after publication date of the PDOC is necessary to complete this analysis.

The Applicant requests that the Committee issue an order confirming that all parties shall continue to adhere to the *Committee Scheduling Order*.

April 15, 2016

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