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STATE OF CALIFORNIA

ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

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In the Matter of:

Rulemaking to Amend Regulations for Delegation of Certification Authority Docket No. 21-OIR-02

COMMENTS OF BHE RENEWABLES, LLC ON PROPOSED AMENDMENTS TO CALIFORNIA ENERGY COMMISSION'S PROCEDURES TO DELEGATE SITE CERTIFICATION AUTHORITY OVER GEOTHERMAL POWER PLANTS

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BHE Renewables, LLC ("BHE Renewables") supports the California Energy Commission's ("CEC") Notice of Proposed Action in Docket No. 21-OIR-02 ("Notice"), whereby the CEC would amend its existing procedures to delegate its site certification authority over geothermal power plants to county governments. Through its affiliates, BHE Renewables operates ten geothermal power plants in Imperial County, California. For nearly forty years, BHE Renewables has operated geothermal power plants safely and efficiently, supplying California with emission-free, firm power, and creating well-paying jobs for its industry-leading workforce. In addition to its existing geothermal fleet, BHE Renewables is working to develop and deliver additional reliable, sustainable energy solutions for the people of California.

BHE Renewables believes that the amendments contained in the Notice will streamline the geothermal power plant siting process, entrust siting decisions to county governments nearest the proposed power plants, and bolster California's transition to carbon-free energy by spurring the evaluation, siting, and development of new geothermal power and mineral extraction facilities.

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The proposed regulatory amendments appropriately balance procedural and environmental safeguards with the need to expedite and facilitate the process by which counties can petition for and receive delegated authority from the CEC. This will balance developers' interest in a streamlined, efficient siting process, tribal governments' rights to participation and consultation, and citizens' rights to participate in government processes that affect their communities. In this way, the proposed regulatory amendments create positive outcomes for all involved while enabling the CEC and county governments to lead the way toward reliable, resilient, zero-carbon energy. By streamlining the certification of geothermal power plants, the proposed regulatory amendments are a positive step towards accelerating the state's transition to a carbon-free energy future.

April 11, 2022

ELLISON SCHNEIDER HARRIS & DONLAN LLP

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