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STATE OF CALIFORNIA

**State Energy Resources Conservation
and Development Commission**

In the Matter of:

**WILLOW ROCK ENERGY STORAGE
CENTER**

Docket No. 21-AFC-02

**CALIFORNIA UNIONS FOR RELIABLE ENERGY
STATUS REPORT NO. 11**

July 26, 2023

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California Unions for Reliable Energy (“CURE”) submits this status report pursuant to the Committee Scheduling Order issued on August 31, 2022 (TN 245754). In its Scheduling Order, the Committee ordered the parties to file and serve a Status Report on or before the 26th of each month.

CURE reviewed GEM A-CAES LLC’s (“Applicant”) letter dated June 30, 2023 (TN 250856) in which the Applicant concurred with the California Energy Commission (“CEC”) Staff’s recommendation to suspend work on the Application for Certification (“AFC”) proceeding while the Applicant continues with its Project Optimization efforts. CURE also reviewed *Staff’s Motion to Suspend the Application for Certification Proceeding* (“Motion”) filed on July 12, 2023 (TN 251029). CURE supports Staff’s proposal to suspend the AFC proceeding during the Applicant’s Project Optimization activities, have the Applicant continue to submit monthly status reports, and require the Applicant to file a supplemental AFC prior to re-initiating the proceedings. CURE respectfully requests that the Committee’s Order also state that CURE, as Intervenor, may cease filing monthly status reports while the Applicant is performing Project Optimization activities. The Committee has not yet ruled on Staff’s Motion.

CURE filed its Data Requests Set 2 on May 1, 2023 (TN 249932). The Applicant responded on May 31, 2023, to CURE’s Data Requests 43-82, 86, 88-91, 94-100, 106-109, 118, 121, 124, 126, 131, and 133-140 in Set 2 (TN 250418). In the Applicant’s notice pursuant to California Code of

Regulations, title 20, sections 1003 and 1716(f) filed on May 22, 2023 (TN 250259), the Applicant requested additional time to respond to the remaining Data Requests in Set 2 until after completing Project Optimization and the biological resources surveys.

The 180-day discovery period pursuant to California Code of Regulations, title 20, section 1716(e) was previously extended by the *Joint Statement by California Energy Commission staff (CEC Staff), Gem A-CAES LLC (Applicant) and California Unions for Reliable Energy (Intervenor) Re: Data Requests* (“Joint Statement”), filed on January 6, 2023 (TN 248337).

The Joint Statement extended the deadline to submit “requests for information regarding all topic areas up to May 1, 2023, or 90 days after the Applicant files any updated project description, whichever is later, and still be considered timely.” In addition, for geology and biological resources, the Joint Statement provides that “any party may request additional information up to 30 days beyond the date Applicant submits final reports associated with the geological evaluation effort and necessary biological surveys.”

Dated: July 26, 2023

Respectfully submitted,

/s/ Tara C. Rengifo

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