

DOCKETED

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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

Morton Bay, LLC
Application for Certification

Docket No.: 23-AFC-01

**ORDER FINDING THE APPLICATION
FOR CERTIFICATION COMPLETE**

I. BACKGROUND

On April 18, 2023, Morton Bay, LLC, a wholly owned subsidiary of BHE Renewables, LLC (BHER) (applicant), filed an Application for Certification (AFC) with the California Energy Commission (CEC) to construct and operate the Morton Bay Geothermal Project (MBGP) at the Salton Sea Known Geothermal Resource Area. The thermal power plant would be located on 63 acres of a 160-acre parcel in unincorporated Imperial County, bounded by McDonald Road to the north, Davis Road to the east, Schrimpf Road to the south, and the Salton Sea to the immediate west. The MBGP would utilize a nominal 140-megawatt, geothermal fired steam turbine generator.

Public Resources Code section 25540.1, as implemented by California Code of Regulations, title 20, sections 1704 and 1709, sets forth the process for the CEC to determine the completeness of an AFC prior to accepting it as complete and starting the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2.

Upon the filing of an AFC, the executive director determines whether it contains the information required under California Code of Regulations, title 20, section 1704, and if it is complete. California Code of Regulations, title 20, Appendix B (Appendix B) specifies the information necessary for a complete AFC. The executive director files a recommendation to the CEC on whether the filing is complete or needs to be supplemented to conform to the CEC's information requirements. The CEC then acts upon the executive director's recommendation.

II. STAFF RECOMMENDATION

On July 12, 2023, the executive director filed a data adequacy recommendation with the CEC finding that the applicant has filed a complete AFC pursuant to Appendix B.

The executive director recommends the CEC adopt the executive director's recommendation that the applicant has filed a complete AFC for MBGP and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, should commence.

III. ENERGY COMMISSION FINDINGS

Pursuant to Public Resources Code section 25540.1 and California Code of Regulations, title 20, sections 1704 and 1709, the CEC concurs with the executive director's recommendation filed July 12, 2023, and finds that the MBGP AFC is a complete filing as per the information required under Appendix B, and the 12-month timeline to reach a decision on the AFC, as required under Public Resources Code section 25540.2, can commence.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on July 26, 2023.

AYE: McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild, Gunda

ABSTAIN: NONE

Dated: July 27, 2023

SIGNED BY:

Kristine Banaag
Secretariat