

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-AFC-01
<b>Project Title:</b>	Morton Bay Geothermal Project (MBGP)
<b>TN #:</b>	251919
<b>Document Title:</b>	Order Granting CURE's Petition to Intervene
<b>Description:</b>	N/A
<b>Filer:</b>	Kristine Banaag
<b>Organization:</b>	California Energy Commission
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<b>Docketed Date:</b>	8/25/2023

**CALIFORNIA ENERGY COMMISSION**

715 P Street  
Sacramento, California 95814  
[energy.ca.gov](http://energy.ca.gov)

CEC-70 (Revised 7/2022)



*APPLICATION FOR CERTIFICATION  
FOR THE:*

*Morton Bay Geothermal Project*

Docket No. 23-AFC-01

**ORDER GRANTING PETITION TO INTERVENE FILED BY  
CALIFORNIA UNIONS FOR RELIABLE ENERGY**

Upon consideration of the Petition to Intervene (Petition)<sup>1</sup> filed by California Unions for Reliable Energy (Petitioner) in the application for certification (AFC) of the Morton Bay Geothermal Project,<sup>2</sup> the California Energy Commission (CEC) committee designated to conduct proceedings in this matter (Committee)<sup>3</sup> makes the following findings:

1. On August 3, 2023, the Petition was filed by:

California Unions for Reliable Energy

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<sup>1</sup> TN 251483.

<sup>2</sup> The AFC and all filed documents related to the Morton Bay proceeding are available via the “Docket Log (23-AFC-01)” link on the [Morton Bay proceeding’s web page](https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbgp) at <https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbgp>. The AFC comprises many separate documents filed in the docket beginning April 18, 2023, e.g., Volume 1 is TN 249723.

<sup>3</sup> On May 31, 2023, the CEC adopted an order appointing the following committee: Commissioner Noemí Gallardo as Presiding Member and Commissioner Andrew McAllister as Associate Member. (TN 250451.)

2. The Petition contains the information required by the CEC's regulations.<sup>4</sup>
3. The Petition states that Petitioner intends to participate in all topics relevant to the Committee's consideration of the Project, including in the topics of environmental setting, air quality, alternatives, biological resources, compliance with laws, ordinances, regulations and standards, cultural resources, efficiency, demonstration, facility design, geologic hazards and resources, greenhouse gas emissions, hazardous materials, land use, noise and vibration, paleontological resources, project description, project overview, project schedule, public health, public services, recreation, reliability, socioeconomics, soil and agricultural resources, traffic and transportation, transmission line safety and nuisance, transmission system design, tribal resources, visual resources, waste management, water resources, wildfire, cumulative impacts and worker safety, and may provide testimony, briefing, and cross examination of witnesses.<sup>5</sup>
4. No opposition to the Petition has been filed, and the deadline for such opposition was August 17, 2023.
5. Petitioner has demonstrated a bona fide interest in the Project and has demonstrated possession of information or expertise that may help the Committee in preparing a proposed decision.
6. Petitioner's stated interests are relevant to the above-captioned proceeding.
7. Intervention is granted at the Committee's discretion to the degree that it finds intervention reasonable and relevant. The Presiding Member or Committee may impose conditions on all intervenors' participation to promote the orderly conduct of the proceeding.

**THEREFORE**, the Committee **ORDERS** that the Petition be **GRANTED** and that Petitioner may participate on the following topic areas as requested:

- **environmental setting**
- **air quality**
- **alternatives**
- **biological resources**
- **compliance with laws, ordinances, regulations, and standards**
- **cultural resources**
- **efficiency**
- **demonstration**

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<sup>4</sup> Cal. Code Regs., tit. 20 § 1211.7, subd. (a).

<sup>5</sup> TN 251483, pp. 4-5.

- **facility design**
- **geologic hazards and resources**
- **greenhouse gas emissions**
- **hazardous materials**
- **land use**
- **noise and vibration**
- **paleontological resources**
- **project description**
- **project overview**
- **project schedule**
- **public health**
- **public services**
- **recreation**
- **reliability**
- **socioeconomics**
- **soil and agricultural resources**
- **traffic and transportation**
- **transmission line safety and nuisance**
- **transmission system design**
- **tribal resources**
- **visual resources**
- **waste management**
- **water resources**
- **wildfire**
- **cumulative impacts**
- **worker safety**

The Committee further **ORDERS** that Petitioner's name be placed upon the Project's Proof of Service List as an intervenor. Petitioner may exercise the rights and shall fulfill the obligations of a party as set forth in all orders issued in the proceeding and California Code of Regulations, title 20, section 1212. Deadlines and other matters shall not be extended or changed by the granting of the Petition.<sup>6</sup>

Petitioner's intervention is subject to modification at the discretion of the Presiding Member or the Committee. If Petitioner wishes to participate as an intervenor on topics other than those above, Petitioner must file a motion to intervene on those topics and is subject to any deadline imposed on the time to intervene. These limitations of Petitioner's participation as an intervenor do not affect Petitioner's ability to make public comments on other topics in the proceeding. The CEC

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<sup>6</sup> Cal. Code Regs., tit. 20, § 1211.7, subd. (d).

welcomes and values intervenor participation in its energy facility siting process. The Public Advisor's webpage [Public Participation in Siting Cases](https://www.energy.ca.gov/programs-and-topics/topics/power-plants/public-participation-siting-cases) can be found at <https://www.energy.ca.gov/programs-and-topics/topics/power-plants/public-participation-siting-cases>. Portions of the [CEC's regulations](https://www.energy.ca.gov/programs-and-topics/topics/power-plants/power-plant-siting-certification-title-20) relating to power plant siting cases (Title 20) can be found at <https://www.energy.ca.gov/programs-and-topics/topics/power-plants/power-plant-siting-certification-title-20>.

As an intervenor, Petitioner is required to file and serve documents on other parties and to follow the CEC's procedures and orders regarding presenting witnesses and evidence. Petitioner is further required to review the rules regarding filings, the rules of evidence that apply at the Evidentiary Hearings, and the rules prohibiting off-the-record contacts with commissioners, their advisors, or the hearing officer(s) about the Project. Petitioner's failure to fulfill these responsibilities may result in the Committee limiting or precluding Petitioner's participation in the proceeding.

### **PUBLIC ADVISOR AND OTHER CEC CONTACTS**

The CEC's Public Advisor assists members of the public with participating in CEC proceedings. For information on how to participate in this proceeding, please contact the Public Advisor at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), or (916) 957-7910. Requests for interpreting services, reasonable accommodations, and other modifications should be made as soon as possible and at least five days in advance. The CEC will work diligently to meet all requests based on the availability of the service or resource needed.

**Direct questions of a procedural nature** to the assigned Hearing Officers:

Morton Bay: Ralph Lee, (916) 776-3408, [ralph.lee@energy.ca.gov](mailto:ralph.lee@energy.ca.gov).

Chad Oliver, (916) 891-8569, [chad.oliver@energy.ca.gov](mailto:chad.oliver@energy.ca.gov).

**Direct technical subject inquiries** concerning the proceeding to the Project Manager, Eric Veerkamp, at [STEPsiting@energy.ca.gov](mailto:STEPsiting@energy.ca.gov) or (916) 661-8458.

**Direct media inquiries** to [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov) or (916) 654-4989.

## Availability of Documents

All documents filed in this proceeding will be posted in the docket by selecting the following link on the [Morton Bay proceeding's web page](https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbgp) at <https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbgp>, or scan (use the camera on your mobile device and hold it over the QR code) the following QR code:



## Automated Email Notifications

Any person may subscribe to receive an automated email when a document is filed in a proceeding. Parties who are on the Proof of Service List will receive these automated emails and do not need to additionally subscribe. The web page for the proceeding, listed above, provides a link to subscribe for automated email notifications, or you may [manage automated email subscriptions](https://www.energy.ca.gov/subscriptions) at <https://www.energy.ca.gov/subscriptions>, or scan the following QR code:



## IT IS SO ORDERED.

Dated: August 24, 2023

*APPROVED BY:*

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Noemí Gallardo  
Commissioner and Presiding Member of the Morton Bay  
Committee