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STATE OF CALIFORNIA
STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

ELMORE NORTH GEOTHERMAL
PROJECT (ENGP) APPLICATION FOR
CERTIFICATION

Docket No. 23-AFC-02

CALIFORNIA UNIONS FOR RELIABLE ENERGY
STATUS REPORT NO. 3

December 29, 2023

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INTRODUCTION

California Unions for Reliable Energy (“CURE”) submits this status report in the Elmore North Geothermal Project (“ENGP”) proceeding (Docket No. 23-AFC-02) pursuant to the Committee Scheduling Order issued on September 12, 2023 (TN 252285).

DISCUSSION

I. Summary of the Progress of Discovery

CURE submitted its second set of data requests to the Applicant on November 27, 2023 (TN 253338). On December 18, 2023, the Applicant requested an extension of time to respond to CURE’s Data Requests Set 2 (TN 253655). The Applicant will provide responses to that set on or before January 19, 2024 (*Id.*). The Applicant also objected to Data Requests nos. 122, 124, 125, 126, 131, 132, 133, 153, 155, 157, 159, 161, 165, 168, 170, 179, 183, 184, 194, 202, 229, 235, and 246 (*Id.*). CURE is currently evaluating the responses with the assistance of its technical experts. CURE is also evaluating the Applicant’s objections and whether to petition the committee for an order to provide the requested information.

CURE submitted its Data Requests Set 3 to the Applicant on December 20, 2023, requesting redacted versions of the ENGP’s System Impact Study (“SIS”) and other transmission-related records (TN 253697). California Energy Commission (“CEC”) Staff previously requested information related to the ENGP’s SIS in its Data Requests Set 1, nos. 89 through 94 (TN 252098). CEC Staff’s Status Report No. 3 dated December 21, 2023, explains that “[p]otential impacts to the California

Independent System Operator-controlled grid will be determined through the previously requested Affected System Study. Impacts identified through the study have the potential to trigger additional review under the California Environmental Quality Act (CEQA) and therefore affect the project schedule.” (TN 253707). The Applicant must notify CURE and the Committee within 20 days of receiving the request if it is unable to provide or objects to providing the information requested and, absent such an objection, provide the information requested within 30 days (20 C.C.R. § 1716(f)).

On December 4, 2023, December 13, 2023, and December 18, 2023, counsel for CURE and counsel for the Applicant discussed the production of records related to transmission, air quality, geology, and injection wells previously designated confidential in this proceeding. Counsel for CURE will continue to confer with Applicant’s counsel to obtain these records.

II. Significant Communications with Tribal Governments and Federal, State, and Local Agencies

CURE is in discussion with various local, state, and federal agencies regarding its requests for public records related to the ENGP. CURE also submitted a request to the Imperial Irrigation District for records related to the Project’s transmission system.

III. Factors That May Impact the Schedule

On December 18, 2023, counsel for CURE emailed counsel for CEC Staff to schedule a meeting to discuss the anticipated schedule for the proceeding. On December 19, 2023, counsel for CEC responded that the relevant information may

be provided in CEC Staff's Status Report No. 3 dated December 21, 2023 (TN 253707). No meeting has been scheduled with counsel for CEC at this time.

CEC Staff's Status Report No. 3 states that it has been unable to obtain updated information or a new estimated submittal date for the Preliminary Determination of Compliance ("PDOC") from the Imperial County Air Pollution Control District ("ICAPCD") for the release of the PDOC (TN 253707). CURE has also been unable to obtain updated information or a new estimated date from ICAPCD regarding the release of the PDOC. CURE continues to support CEC staff's request in its Status Report No. 3 for the ENGP that the Committee consider ordering a forty-five (45) day comment period for the ENGP Preliminary Staff Assessment (*Id.*).

Dated: December 29, 2023

Respectfully submitted,

Original Signed by:

/s/ Tara C. Rengifo

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