

DOCKETED	
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Project Title:	Black Rock Geothermal Project (BRGP)
TN #:	256299
Document Title:	ORDER GRANTING PETITION TO INTERVENE FILED BY SUPPORTERS ALLIANCE FOR ENVIRONMENTAL RESPONSIBILITY - Black Rock
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CALIFORNIA ENERGY COMMISSION

715 P Street
Sacramento, California 95814
energy.ca.gov
CEC-70 (Revised 7/2022)



*APPLICATION FOR CERTIFICATION
FOR THE:*

Black Rock Geothermal Project

Docket No. 23-AFC-03

**ORDER GRANTING PETITION TO INTERVENE FILED BY
SUPPORTERS ALLIANCE FOR ENVIRONMENTAL RESPONSIBILITY**

Upon consideration of the Petition to Intervene (Petition)¹ filed by Supporters Alliance for Environmental Responsibility, (SAFER or Petitioner) in the application for certification (AFC) of the Black Rock Geothermal project (Project),² the California Energy Commission (CEC) committee designated to conduct proceedings in this matter (Committee)³ makes the following findings:

1. On April 9, 2024, the Petition was filed by:

Supporters Alliance for Environmental Responsibility

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LOZEAU DRURY LLP
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Oakland, California 94612
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¹ The AFC and all filed documents related to the Black Rock proceeding are available via the "Docket Log (23-AFC-03)" link on the [Black Rock proceeding web page](https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbpg) at <https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbpg>. The petition is TN 255592.

² The AFC comprises many separate documents filed in the docket beginning April 18, 2023, e.g., Volume 1 is TN 249752.

³ On May 31, 2023, the CEC adopted an order appointing the following committee: Commissioner Gallardo as Presiding Member and Commissioner McAllister as Associate Member. (TN 250454.)

2. The Petition contains the information required by the CEC's regulations.⁴
3. SAFER's Petition states it intends to participate in all topics relevant to the CEC's consideration of the Project including, but not limited to, project alternatives, environmental baseline, air quality and greenhouse gas impacts, impacts on biological resources, water quality and quantity impacts, public health and worker safety impacts, cumulative impacts, geologic hazards and resources, recreation impacts, compliance with all applicable laws, environmental baseline, alternatives analysis, and adequate mitigation measures. SAFER reserves the right to participate in other topics as well.⁵
4. No opposition to the Petition has been filed, and the deadline for such opposition was April 23, 2024.
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**
- **cumulative impacts**
- **efficiency**
- **demonstration**
- **facility design**
- **geologic hazards and resources**
- **greenhouse gas emissions**
- **hazardous materials**
- **land use**
- **noise and vibration**

⁴ Cal. Code Regs., tit. 20, § 1211.7, subd. (a).

⁵ TN 254305, pp. 5-6.

- **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**
- **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 1211.7(a). Deadlines and other matters shall not be extended or changed by the granting of the Petition.⁶

Petitioner's intervention is subject to modification at the discretion of the Presiding Member or the Committee. The CEC 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](#) 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 proceedings.

⁶ Cal. Code Regs., tit. 20, § 1211.7, subd. (d).

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, 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:

Black Rock: Chad Oliver, (916) 891-8569, chad.oliver@energy.ca.gov.
Deborah Dyer, (916) 931-5041, deborah.dyer@energy.ca.gov.

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

Direct media inquiries to mediaoffice@energy.ca.gov or (916) 654-4989.

Availability of Documents

All documents filed in the proceeding will be posted in the docket by selecting the following link on the [Black Rock proceeding web page](#) at <https://www.energy.ca.gov/powerplant/steam-turbine/black-rock-geothermal-project-brgp>, or scan the following QR code (use the camera on your mobile device and hold it over the QR code) the following QR code:



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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.

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IT IS SO ORDERED.

Dated: May 8, 2024

APPROVED BY:

Noemí Otilia Osuna Gallardo
Commissioner and Presiding Member of the Black Rock
Committee