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**STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission**

In the Matter of:)
)
Application for Certification for the) Docket No. 21-AFC-02
Willow Rock Energy Storage Center)
)
_____)

**WILLOW ROCK ENERGY STORAGE CENTER
STATUS REPORT NO. 22**

Pursuant to the Committee Order docketed August 11, 2023,¹ GEM A-CAES LLC (the “Applicant”) hereby submits this status report to inform the Committee of the progress of the Application for Certification (“AFC”) proceeding for the Willow Rock Energy Storage Project (“Project”). Since the filing of *Status Report No. 21*, the Applicant has been working diligently to provide the additional information requested in the California Energy Commission (“CEC”) Staff’s *Data Adequacy Recommendation*.

For the reasons discussed herein, the Applicant respectfully submits that with the information provided and with the schedule for the few remaining items set forth below, the Executive Director has discretion to deem the Project’s Supplemental AFC Data Adequate.

STATUS OF DATA ADEQUACY RECOMMENDATION RESPONSES

The Applicant has provided the majority of the information identified in CEC Staff’s *Data Adequacy Recommendation*. In terms of items submitted since the last Status Report, the Applicant provided the following additional information in response to CEC Staff’s *Data Adequacy Recommendation*:

- **Willow Rock Data Adequacy Response**, including confidential attachments and figures;² and
- **Confidential Cultural Resources Phase II Testing Plan.**³

As described below, it is the Applicant’s understanding that there are only three outstanding informational items:

- **Thermal Plume Analysis:** While the Applicant believes a thermal plume analysis is not applicable to the Project, the Applicant has agreed to provide the requested information.

¹ TN#: 251599.

² TN#: 256622, 256860, 256861.

³ TN# to be assigned.

The thermal plume analysis is nearing completion, and the Applicant expects that it will be filed imminently.

- **Biological Resources:** CEC Staff requested clarification regarding the confirmation of methodology used for identifying the presence/absence of State jurisdictional waters. The Applicant plans to provide this clarification during an information exchange with CEC Staff and will confirm whether additional follow-up information is necessary.
- **Level-of-Service Study:** The Applicant confirmed the appropriate scope of the level-of-service (“LOS”) study with CEC Staff. The Applicant will provide a brief summary of the methodology to CEC Staff imminently. The Applicant expects to file the complete LOS study in August. The Applicant continues to work with Kern County to obtain necessary information, and notes that the timing for the completed study will be dependent upon the timing of final agency reviews of the LOS study. Moreover, the Applicant has deployed cameras in Kern County and is actively conducting vehicular counts, demonstrating a proactive and comprehensive approach to data acquisition.

PROJECT SCHEDULE

Achieving Data Adequacy is an important milestone for the Project. The Applicant thanks CEC Staff and all stakeholders for working collaboratively with the Applicant to move this Project forward in furtherance of that milestone, particularly given the importance of Data Adequacy to several processes outside of the CEC’s AFC process.

Data Adequacy will help the Project advance important discussions with Kern County regarding local processes, like franchise agreements and other issues of importance to the County. Data Adequacy is also important to the ongoing discussions with State and federal agencies who play important roles with respect to review of the Project. Data Adequacy is also important for ensuring that the Project is able to meet, in a timely manner, the long duration energy storage procurement mandate and timelines as set out by the California Public Utilities Commission in Decision 21-06-035, as modified and updated by subsequent Decisions. In addition, Data Adequacy and achieving a timely decision on the AFC is critical to ensuring that the Project remains eligible to seek a portion of California’s share of federal funding currently available to advanced, clean and renewable energy projects.

Data Adequacy determinations involve the exercise of some discretion by the Executive Director. The hallmark of that discretion is ensuring that a few remaining information requests do not become the gating item for the schedule for the entire proceeding. By deeming the Project Data Complete, Staff’s analysis and this proceeding overall can proceed apace.

The Applicant respectfully submits that with the information provided and with the three minor items scheduled for delivery above, the Executive Director has plenary discretion to deem the Project’s Supplemental AFC Data Adequate, and the AFC proceeding for this important long-duration energy storage project should advance.

Dated: June 26, 2024

Respectfully Submitted,

ELLISON, SCHNEIDER, HARRIS & DONLAN LLP

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