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| Project Title: | Black Rock Geothermal Project (BRGP) |
| TN #: | 258385 |
| Document Title: | Applicants' Proposed Schedules |
| Description: | N/A |
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**STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission**

In the Matter of:

Application for Certification for the
Morton Bay Geothermal Project

Docket No. 23-AFC-01

Application for Certification for the
Elmore North Geothermal Project

Docket No. 23-AFC-02

Application for Certification for the
Black Rock Geothermal Project

Docket No. 23-AFC-03

APPLICANTS’ PROPOSED SCHEDULES

Pursuant to the *Joint Order Extending and Consolidating Public Comment Periods on Preliminary Staff Assessments and Further Orders* docketed July 26, 2024,¹ Elmore North Geothermal LLC, Black Rock Geothermal LLC, and Morton Bay Geothermal LLC (collectively, “the Applicants”) provide below proposed schedules for the remainder of the proceeding.

I. MEET AND CONFER

On August 5, 2024, the Applicants met and conferred with intervenors California Unions for Reliable Energy, Jobs to Move America, and the United Auto Workers, and California Energy Commission (“CEC”) Staff regarding the proposed schedule for the remainder of the Morton Bay Geothermal Project (“MBGP”), Elmore North Geothermal Project (“ENGP”), and Black Rock Geothermal Project (“BRGP”) proceedings. The Applicants stated that their proposed schedules would likely mirror that submitted on August 24, 2023,² with two differences: (1) the timing for publication of the Final Staff Assessments and (2) rather than concurrent evidentiary hearings, the possibility of staggering evidentiary hearings for one or all of the projects.

II. PROPOSED SCHEDULE

The Applicants’ proposed schedules balance the input received from stakeholders at the Preliminary Staff Assessment Technical and Mitigation Workshop, discussions between the parties at the meet and confer, winter holidays such as Thanksgiving, Christmas, Hanukkah and New Years, and the provisions of the Warren-Alquist Act which provides for a final decision on the three Applications for Certification (“AFC”) within 12 months after acceptance of the AFC by the CEC. Public Resources Code section 25540.2(a) requires that “the commission shall issue the final decision on the application, as specified in Section 25523, within 12 months after acceptance of the application for certification of a geothermal powerplant and related facilities,” which can only be extended by mutual

¹ TN#: 258079, 258080, 258081.

² TN#: 251875, 251877, 251876.

agreement between the CEC and an applicant. The Applicants’ proposed schedules do not constitute a waiver of the mandate set forth in Section 25540.2 and do not represent the Applicants’ agreement to an extended deadline for issuance of the decision.

For over 50 years, California state policy has encouraged the use of geothermal resources for thermal power plants, wherever feasible, because of the “potential of providing direct economic benefit to the public, while helping to conserve limited fossil fuel resources and promoting air cleanliness.”³ As California has further developed its climate change goals, including the transition to a 100% renewable energy and zero-carbon resource supply to end-use customers by 2045, the importance of developing geothermal resources to meet California’s policies cannot be understated. Geothermal facilities provide firm, baseload renewable energy. These attributes are critical to supporting both grid reliability and the State’s climate change goals. As recognized in the California Public Utilities Commission’s *Decision Requiring Procurement to Address Mid-Term Reliability (2023-2026)*,⁴ geothermal is considered a long lead-time (“LLT”) resource.⁵ LLT resources “provide important resource diversity, renewable integration, and system reliability benefits.”⁶ Not only is the procurement of such resources important, but barriers to the successful deployment of geothermal resources include permitting and project development delays.⁷

Given the above, the Applicants recommend that the Committees set clear deadlines for the remainder of this proceeding, as follows.

| ACTIVITY | ENGP DATE | MBGP DATE | BRGP DATE |
|--|----------------------|---------------------|---------------------|
| Deadline for comments on PSA | September 3, 2024 | September 3, 2024 | September 3, 2024 |
| Last day to file petition to intervene | October 16, 2024 | October 16, 2024 | October 16, 2024 |
| Final Staff Assessment filed | November 1, 2024 | November 15, 2024 | December 3, 2024 |
| Opening Testimony filed | November 15, 2024 | December 17, 2024 | December 17, 2024 |
| Reply Testimony filed | November 22, 2024 | January 7, 2025 | January 7, 2025 |
| Prehearing Conference | December 3, 2024 | January 10, 2025 | January 10, 2025 |
| Evidentiary Hearings | December 10-12, 2024 | January 15-17, 2025 | January 15-17, 2025 |
| Opening Briefs (If needed) | December 19, 2024 | January 24, 2025 | January 31, 2025 |
| Reply Briefs (If needed) | January 8, 2025 | February 7, 2025 | February 7, 2025 |
| Committee files Presiding Member’s Proposed Decision | February 7, 2025 | March 11, 2025 | March 25, 2025 |

³ Pub. Resources Code § 800.

⁴ D.21-06-035, available at <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M389/K603/389603637.PDF>.

⁵ *Id.*, p. 23.

⁶ *Id.*, Finding of Fact 13, p. 88.

⁷ Yee Yang, Chie Hong and Kristen Widdifield. August 2024. *SB 423 Firm Zero Carbon Resources Report*. California Energy Commission. Publication Number: CEC-200-2024-012-D. Appendix E, p. E-6.

| ACTIVITY | ENGP DATE | MBGP DATE | BRGP DATE |
|---|-------------------|-------------------|-----------------|
| Hearing on Presiding Member's Proposed Decision | TBD | TBD | TBD |
| Committee files errata to PMPD (if necessary)* | TBD | TBD | TBD |
| Commission issues final Decision | March 2025 | April 2025 | May 2025 |

III. CONCLUSION

The Applicants thank parties for participating in the meet and confer, and thank the Committees for the opportunity to submit proposed schedules for the proceedings.

Dated: August 7, 2024

Respectfully submitted,

ELLISON SCHNEIDER HARRIS & DONLAN L.L.P.

By 

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