

DOCKETED	
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Document Title:	Willow Rock Energy Storage Center (21-AFC-02) Issues Identification Statement and Proposed Schedule
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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
APPLICANT’S ISSUES IDENTIFICATION STATEMENT AND PROPOSED
SCHEDULE**

INTRODUCTION

Pursuant to the Committee’s *Order Terminating the Suspension of the Willow Rock Energy Storage Center Proceeding 21-AFC-02* (the “Order”),¹ GEM A-CAES LLC (the “Applicant”) submits this Issues Identification Statement and Proposed Schedule.

The Order directs each Party to provide a written statement “...summarizing the major issues that will be presented in the SAFC [Supplemental Application for Certification (“AFC”)]; and proposing a schedule for the informational hearing and site visit and for completing the pre-hearing and evidentiary process for the SAFC.”² With respect to the proposed schedule, the Order further provides, “The Committee finds that, for purposes of efficiency, the parties should meet and confer on the proposed schedule, including shortened time for discovery if reasonable and feasible.”³

APPLICANT’S MEET AND CONFER CERTIFICATION

The Applicant hereby certifies, as evidenced by signature of Counsel below, that the Applicant, the California Energy Commission (“CEC”) Staff, and Counsel for Intervenor California Unions for Reliable Energy (“CURE”) participated in the meet and confer as directed by the Order via videoconference on August 2, 2024. The Applicant is pleased that this meet and confer was professional, cordial, and productive, though the meet and confer did not produce a joint recommendation on schedule.

ISSUES IDENTIFICATION STATEMENT AND PROPOSED SCHEDULE

On July 16, 2024, the CEC’s Executive Director recommended that the Committee accept the Supplemental AFC as complete.⁴ The Order then directs that the Parties summarize the

¹ TN #: 258022, dated July 26, 2024, superseding TNs #: 257965, 257972, and 257977.

² *Id.*, p. 4, paragraph 4.

³ *Id.*

⁴ TN #: 257763, p. 2.

major issues in the SAFC.⁵ While acknowledging that Discovery is still ongoing, the Applicant believes that there are no major issues remaining. The SAFC for the Willow Rock project includes both comprehensive analyses of the project’s compliance with applicable laws, ordinances, regulations, and standards, and the project design features and measures that avoid or minimize potentially significant effects on the environment.

With respect to schedule, the Order directs the Parties to provide a proposed schedule for specified pre-hearing and evidentiary events including the following: Supplemental Discovery Closes; Staff files Preliminary Staff Assessment; Staff files Final Staff Assessment; Last Day to File Petition to Intervene; Prehearing Conference; Evidentiary Hearing; and Commission Hearing on the Final Decision.⁶ As the Order expressly states, Parties’ proposed schedule should consider, among other things, shortened time for discovery.⁷

Consistent with the Committee’s Order, the Applicant has provided attached hereto the Applicant’s Proposed Schedule. The Applicant’s Proposed Schedule reduces the time for Discovery by only one-third of the usual timeframe, from 180 days to 120 days. This minor shortening is both reasonable and feasible, as explained herein, as the SAFC has been online, available to the public for more than five months to date.

The Supplemental AFC was docketed in its entirety on March 8, 2024.⁸ It is important to note that the SAFC materials were docketed and have been available to the Parties and the Intervenor for 154 days as of the date of this filing: March 8, 2024 to August 9, 2024 is 154 days or 5 months and 1 day.

Consequently, while the Applicant’s Proposed Schedule proposes shortening the Discovery period, as per the language of the Order, by 60 days, the Parties and the public have had the SAFC available for their review for 154 days to date. In all, the time between the March 8, 2024 completion of the SAFC filing and the Applicant’s proposed Close of Discovery on November 13, 2024 is 250 days, or 8 months and 5 days. Such dates are more than reasonable and feasible.

The Applicant’s Proposed Schedule is attached hereto, providing all of the dates requested by the Order, plus additional milestones drawn from the Commission’s “model” schedules. As set forth in the Applicant’s Proposed Schedule, the specific milestones set forth in the Order are as follows:

Staff files Preliminary Staff Assessment	October 14, 2024
Supplemental Discovery Closes	November 13, 2024
Staff files Final Staff Assessment	January 13, 2025
Last Day to File Petition to Intervene	January 13, 2025
Prehearing Conference	February 4, 2025

⁵ TN #: 258022, p. 4, paragraph 4.

⁶ *Id.*, pp. 4-5.

⁷ *Id.*, p. 4.

⁸ Amended Cover Letter and Attestation of Completeness, TN #: 254951. Docketing began on March 1, 2024 and due to file size restrictions and other issues was completed on March 8, 2024. See Willow Rock Docket TNs #: 254774 to 254951.

Evidentiary Hearing
Commission Hearing on the Final Decision

February 12, 2025
May 14, 2025

THE APPLICANT’S PROPOSED SCHEDULE IS REASONABLE AND FEASIBLE

The Executive Director’s July 16, 2024 Data Adequacy Recommendation, Day 0 in this reinitiated proceeding, was a major milestone. As directed by the Order, the Applicant and the Parties held the meet and confer with CEC Staff and Intervenor CURE regarding the proposed schedule for this proceeding, as certified above.

Allowing this important long-duration energy storage project to move forward consistent with the Applicant’s Proposed Schedule will advance important State interests in electric reliability, integration of renewable energy resources, and California’s landmark climate policies. The Applicant respectfully requests that the Committee adopt the reasonable and feasible milestones set forth in the Applicant’s Proposed Schedule.

Dated: August 9, 2024

Respectfully Submitted,

ELLISON, SCHNEIDER, HARRIS & DONLAN LLP

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Applicant's Proposed Schedule
August 9, 2024

Activity	Day	Applicant's Proposed Schedule
Supplemental AFC Data Adequacy Recommendation	0	July 16, 2024
Tribal Notifications and Invitation to Consult	0-15	July 16-30, 2024
Staff files Data Requests Set 1	10	July 26, 2024
Issues Identification Report	24	August 9, 2024
Applicant files Data Responses Set 1	40	August 26, 2024
Site Visit & Informational Hearing	44-52	August 29, 30, or First Week in September
Public Workshop on Biological Resources; Public Workshop on Cultural Resources, if needed	44-52	Directly following Site Visit & Informational Hearing
Staff files Remaining Data Requests	52	September 6, 2024
Data Request & Issues Resolution Workshop, if needed	TBD	TBD
Preliminary Staff Assessment filed	90	October 14, 2024
Preliminary Staff Assessment Workshop	115	November 8, 2024
Close of discovery period	120	November 13, 2024
Public Comments on PSA due date	134	November 27, 2024
Last day to file petition to intervene	181	January 13, 2025
Final Staff Assessment filed	181	January 13, 2025
Testimony filed	192	January 24, 2025
Reply Testimony filed	197	January 29, 2025
Prehearing Conference	203	February 4, 2025
Evidentiary Hearings	211	February 12, 2025
Briefs	224	February 25, 2025
Committee files Presiding Member's Proposed Decision	262	April 4, 2025
Hearing on Presiding Member's Proposed Decision	293	On or before May 5, 2025
Comment Period on PMPD (30 Days)	293	May 5, 2025
Committee files errata to PMPD (if necessary)		--
Commission issues final Decision, Approving Project	302	May 14, 2025 or Special May 2025 Business Meeting