

<b>DOCKETED</b>	
<b>Docket Number:</b>	21-AFC-02
<b>Project Title:</b>	Willow Rock Energy Storage Center
<b>TN #:</b>	258781
<b>Document Title:</b>	Committee Order Granting Petition to Intervene Filed by the Center for Biological Diversity
<b>Description:</b>	Committee Order
<b>Filer:</b>	Wendi DuBose
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Committee
<b>Submission Date:</b>	8/30/2024 4:35:28 PM
<b>Docketed Date:</b>	8/30/2024

**CALIFORNIA ENERGY COMMISSION**

715 P Street  
Sacramento, California 95814

[energy.ca.gov](http://energy.ca.gov)

CEC-70 (Revised 7/22)



*IN THE MATTER OF:*

*Willow Rock Energy Storage Center*

Docket No. 21-AFC-02

**COMMITTEE ORDER GRANTING PETITION TO INTERVENE  
FILED BY THE CENTER FOR BIOLOGICAL DIVERSITY**

Upon consideration of the Petition to Intervene (Petition) filed by the Center for Biological Diversity (CBD, or Petitioner)<sup>1</sup> in the Application for Certification (AFC) for the Willow Rock Energy Storage Center (Project)<sup>2</sup>, the California Energy Commission (CEC) committee designated to conduct proceedings in this matter (Committee)<sup>3</sup> makes the following findings:

1. On August 23, 2024, a Petition in the above-captioned proceeding was filed by:

Center for Biological Diversity  
Zeynep J. Graves  
Lisa T. Belenky  
1212 Broadway, Suite 800  
Oakland, CA 94612  
Telephone: 510.844.7160

Email: [zgraves@biologicaldiversity.org](mailto:zgraves@biologicaldiversity.org) & [lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)

<sup>1</sup> [TN 258677](#). Documents related to this proceeding may be found in the [online docket](#) at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-AFC-02>.

<sup>2</sup> Information about this proceeding, including a link to the electronic docket and all documents filed in the Original AFC and Supplemental AFC, may be found on the [CEC's project web page](#) at <https://www.energy.ca.gov/powerplant/caes/willow-rock-energy-storage-center>.

<sup>3</sup> On March 10, 2023, the CEC amended its designation of a committee consisting of Andrew McAllister, Commissioner and Presiding Member, and Noemí Gallardo, Commissioner and Associate Member, to preside over any proceedings arising from the Application. [TN 249087](#).

2. The Petition contains the information required by the CEC's regulations.<sup>4</sup>
3. The Petition states that Petitioner's immediate interests include, but are not limited to, protection of the western Joshua tree, desert tortoise, Mojave ground squirrel, conservation of migratory birds and other avian species, conservation of rare and imperiled native plants and other wildlife species found in the project area, and cumulative impacts to these and other desert resources, and intends to fully participate in all phases of the proceeding including but not limited to the topics of project alternatives, biological resources, cultural resources, archaeological resources, and water resources.<sup>5</sup>
4. 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.
5. Petitioner's stated interests are relevant to the above-captioned proceeding.
6. 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 in the hearings 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:

- **biological resources,**
- **cultural resources,**
- **archaeological resources,**
- **water resources,**
- **cumulative impacts on resources, and**
- **project alternatives**

The Committee further **ORDERS** that Petitioner's name be placed upon the 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 this matter and California Code of Regulations, title 20, section 1212. Deadlines and other matters shall not be extended or changed by the granting of this Petition.<sup>6</sup>

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<sup>4</sup> Cal. Code Regs., tit. 20, § 1211.7, subd. (a).

<sup>5</sup> [TN 258677](#), p.4.

<sup>6</sup> Cal. Code Regs., tit. 20, § 1211.7, subd. (d).

If Petitioner wishes to participate as an intervenor on topics other than those above, including those for which it made a reservation of right, Petitioner must file a motion to intervene on those topics and is subject to any deadline imposed on the time to intervene. Petitioner's intervention is subject to further modification at the discretion of the Presiding Member or the Committee. These limitations of Petitioner's participation as an intervenor do not affect Petitioner's ability to make public comments on other topics in the proceeding.

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](https://www.energy.ca.gov/programs-and-topics/topics/power-plants/power-plant-siting-certification-title-20) 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 "General Orders Regarding Motions, Electronic Filing, Service of Documents, and Other Matters,"<sup>7</sup> 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.

## **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](mailto:publicadvisor@energy.ca.gov), or (916) 957-7910. Requests for interpreting services, reasonable accommodations, and other modifications should be made at least five days in advance. The CEC will work diligently to accommodate all requests based on the availability of the service or resource needed.

**Direct questions of a procedural nature** to the assigned Hearing Officers:

- Reneé Webster-Hawkins, at [renee.webster-hawkins@energy.ca.gov](mailto:renee.webster-hawkins@energy.ca.gov) or (916) 237-2507.
- Ralph Lee, at [ralph.lee@energy.ca.gov](mailto:ralph.lee@energy.ca.gov) or (916) 776-3408.

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<sup>7</sup> [TN 243235](#).

**Direct technical subject inquiries** concerning the proceeding to the Project Manager:

- Leonidas Payne, at [leonidas.payne@energy.ca.gov](mailto:leonidas.payne@energy.ca.gov) or (916) 838-2124.

**Direct media inquiries** to [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov) or (916) 654-4989.

### **AVAILABILITY OF DOCUMENTS**

Information about the Application, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the [Willow Rock Energy Storage Center webpage](https://www.energy.ca.gov/powerplant/caes/willow-rock-energy-storage-center) at:

<https://www.energy.ca.gov/powerplant/caes/willow-rock-energy-storage-center> or scan the following QR code:



### **IT IS SO ORDERED.**

Dated: August 30, 2024

***APPROVED BY:***

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Andrew McAllister  
Commissioner and Presiding Member  
Willow Rock Energy Storage Center  
AFC Committee

Dated: August 30, 2024

***APPROVED BY:***

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Noemí Otilia Osuna Gallardo  
Commissioner and Associate Member  
Willow Rock Energy Storage Center  
AFC Committee