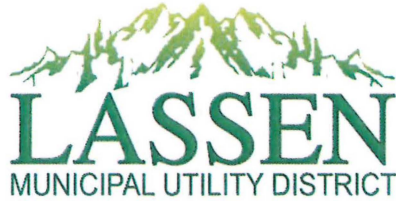


<b>DOCKETED</b>	
<b>Docket Number:</b>	24-EPS-01
<b>Project Title:</b>	Emission Performance Standard
<b>TN #:</b>	260684
<b>Document Title:</b>	Notice of Public Meeting by LMUD SB 1368 Baseload EPS for Fish Lake Geothermal
<b>Description:</b>	N/A
<b>Filer:</b>	Sean Neal
<b>Organization:</b>	Duncan, Weinberg, Genzer & Pembroke, P.C.
<b>Submitter Role:</b>	Applicant Representative
<b>Submission Date:</b>	12/16/2024 4:00:06 PM
<b>Docketed Date:</b>	12/16/2024



65 S. ROOP STREET \* SUSANVILLE, CA \* 96130

(530) 257-4174 \* FAX (530) 257-2558

---

Daren Hagata, President \* Fred Nagel, V.P. \* Dave Ernaga, Treasurer \* Jess Urionaguena, Director \* H.W. "Bud" Bowden, Director

Via E-Filing, Docket No. 24-EPS-01, and  
Email to: EPS@energy.ca.us

December 16, 2024

**Re: SB 1368 Emission Performance Standards-Public Notice of Covered Procurement**

Pursuant to the California Code of Regulations (CCR) Title 20, § 2908(b), the Lassen Municipal Utility District (LMUD) is providing notice of its governing body's intent to adopt a compliance filing to be submitted to the California Energy Commission (CEC or Commission) in connection with the executed Power Purchase Agreement (Agreement) between LMUD and Fish Lake Geothermal, LLC. The Agreement provides for the procurement of electricity with a term of five years or greater from a geothermal generating plant to be developed and located in Esmeralda County, Dyer, Nevada. The compliance filing to be submitted to the CEC is intended to demonstrate conformance of the Agreement as a covered procurement under the CEC's Emission Performance Standards (EPS) regulations.

Name of Governing Authority Body Meeting: LMUD Board of Directors

Date: December 19, 2024

Time: 5:30 p.m. PST

Location: LMUD Board Room, 65 S. Roop St., Susanville, CA 96130

Wheelchair accessible?: In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in a meeting, please contact the secretary during regular business hours. Notification received 48 hours before the meeting will enable the district to make reasonable accommodations.

Contact for Public for Further Information: Karen Rollings, Board Secretary, 530-257-4174, e-mail: [krollings@lmud.org](mailto:krollings@lmud.org)

Agenda for the Meeting: On LMUD's website at: [www.lmud.org](http://www.lmud.org).

Additional materials being provided to the LMUD governing body related to the Agreement's compliance with the EPS will be available in hard copies at the meeting. Information required pursuant to CCR § 2908(b)(3) will be available at the meeting and is described in the Attachment.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nicholas Dominguez', written over a horizontal line.

Nicholas Dominguez

General Manager

Lassen Municipal Utility District

## Attachment

### Documentation for Notice Regarding the Covered Procurement under CCR § 2908(b)(3)

#### Public Notice and Background

The Lassen Municipal Utility District (LMUD or Buyer) has authorized execution of a Power Purchase Agreement (Agreement) with Fish Lake Geothermal, LLC (Fish Lake or Seller). The Agreement provides for the purchase of power from Fish Lake produced by a geothermal electric generating plant to be developed and located in Esmeralda County, Dyer, Nevada. The original Agreement was entered into on September 28, 2022. The power plant is intended to be designed to produce at least 16 MW (and up to 20 MW) in capacity.

Pursuant to the California Code of Regulations (CCR) Title 20, § 2908(b)(3), the Agreement provides for the procurement of electricity from a baseload generating plant with a term of five years or greater, and the information associated with the Agreement identified in subsections (A) through (E), is provided below:

**(A) A Description of the Terms of the Contract and Option(s) to Extend the Contract:** The Agreement approved by the LMUD Board of Directors was reflected in the following Board minutes (Item No. 15): <https://www.lmud.org/wp-content/uploads/09.27.22-Minutes.pdf> (Open Mountain Energy is referenced as the project developer; Fish Lake Geothermal, LLC is the project company). The December 19, 2024 Board agenda for approval of the Compliance Filing is available at: <https://www.lmud.org/wp-content/uploads/Agenda-12.19.24-SBM.pdf>.

The Agreement provides for the purchase of power by LMUD from a geothermal generating plant to be developed and located in Esmeralda County, Dyer, Nevada. The expected Commercial Operation Date for the plant is December 31, 2025 with March 31, 2026 as a Guaranteed Commercial Operation Date. The Agreement provides for the purchase of power from a geothermal generating facility for fifteen (15) years following the first day of the calendar month after the Commencement Date, which is the later of the In-Service Date and the Commercial Operation Date. The Agreement does not contain provisions for the extension of the purchase and sale term.

**(B) A Description and Identification of the Powerplant(s) Providing Energy Under the Contract, Including, but not Limited to, Power Generation Equipment and Fuel Type:**

The geothermal facility will include construction and installation of a geothermal electric generating powerplant with a design capacity of at least 16 MW (up to 20 MW), of which 3.0 MW (net) will be made available for sale to LMUD. LMUD has the option but not obligation to purchase excess energy generated from the facility that is generated above 105% of the Contract Quantity.

**(C) A Description of the Design or Operation of the Powerplant(s) so as to Indicate Whether or not the Powerplant(s) Operates to Supply Baseload Generation:**



It is intended that the powerplant will operate as baseload load at an annualized plant capacity factor of greater than 60 percent, as defined under 20 CCR § 2901(b).

**(D) An Explanation as to how the Contract is Compliant with the Emission Performance Standards (EPS):**

The plant will generate geothermal power, which, according to 20 CCR § 2903(b)(1) “meets the criteria of a renewable electricity generation facility as defined in Chapter 8.6 of Division 15 of the Public Resources Code and as specified by guidelines adopted thereunder”. *See also* Cal. PRC § 25741.

**(E) Supporting Documents or Information that Allow for Assessment of Compliance with the Standard, Including, but not Limited to, Staff Assessments and Reports to the Local Publicly Owned Electric Utility's Governing Body, Planned or Historical Production and Fuel Use Data, and Applicable Historical Continuous Emissions Monitoring Data:** Because the generating plant has yet to be constructed, there is no historical production and fuel use data, or continuous emissions monitoring data for the plant. However, for purposes of planned production, LMUD intends that the facility will be operated to provide renewable, geothermal power, in full compliance with the EPS and other applicable regulations.

Although LMUD does not consider the Agreement to constitute a “new ownership investment,” as defined under 20 CCR § 2901(j), as LMUD will not own, or have an option under the Agreement to purchase, the generating facility, LMUD provides the following information requested under § 2908(b)(4):

**(A) For New Construction or Purchase of an Existing Generating Unit or Powerplant, a Description and Identification of the Planned Powerplant or the Purchased Asset Specifying the Power Generating Equipment, Power Source, Such as Fuel Type, Wind, or Biomass, all Supplemental Fuel Sources, and all Available Historical Production and Fuel Use Data:** The geothermal facility will include construction and installation of a geothermal electric generating powerplant with a design capacity of at least 16 MW (up to 20 MW), 3.0 MW (net) of which will be made available for sale to LMUD. LMUD has the option but not obligation to purchase excess energy generated from the facility that is generated above 105% of the Contract Quantity. The generating plant will be developed and located in Esmeralda County, Dyer, Nevada. No supplemental fuel sources are contemplated. As the plant has yet to be fully constructed and placed into operation, no historical production or fuel use data is available.