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September 9, 2013

The Honorable Andrew McAllister
Presiding Member
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

The Honorable Karen Douglas
Associate Member
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Hearing Officer Susan Cochran
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

**Re: Huntington Beach Energy Project (12-AFC-02)
Applicant's Response to Staff's Status Report and Request for Status Conference**

Dear Commissioners and Hearing Officer:

Applicant AES Southland Development, LLC hereby responds to Staff's Status Report #5, filed on September 4, 2013, related to the Huntington Beach Energy Project ("HBEP") Application for Certification ("AFC") proceeding. As an initial matter, Applicant has reviewed Staff's Status Report #5 and Applicant is concerned that Staff indicates that a bifurcated PSA will not be published until September 30, 2013. As previously noted in Applicant's July 26, 2013 Request for Scheduling Conference and/or Scheduling Order, the process has reached a critical point that requires the Committee to ensure the parties reach specific milestones so that the AFC process moves forward as expeditiously as possible toward evidentiary hearings and a Final Decision. Pursuant to this Committee's July 31, 2013 Order, Staff was required to publish the PSA, Part A, on or before August 20, 2013. In fact, Staff previously indicated in their May and July 2013 Status Reports that they anticipated publication of the PSA by mid-August 2013. However, without specific reason and without reporting on the actual status or issues Staff may be dealing with in each of the technical disciplines covered in the PSA, Staff is now indicating that it may be September 30, 2013, or later, before Staff issues a partial PSA. Applicant notes that, aside from providing the September 30, 2013 publication date, Staff's Status Report does not provide a status update on the current progress of the PSA Part A or Part B. Applicant requests that the



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Committee order Staff to report on the progress of each of the sections of the PSA Part A and Part B so that Applicant can obtain a more clear sense of the timeline for release of both parts of the PSA. Alternatively, Applicant requests that the Committee hold a Status Conference. Specific information regarding the current status of the AFC proceedings is critical for Applicant to manage its schedule and expectations for the AFC process.

Applicant is fully invested in HBEP and has committed significant resources toward the permitting and development of the project. It has been over a year since the Commission accepted the AFC as data adequate. Applicant is eager to obtain a Final Decision and license to construct and operate this project, which is critical to maintaining electrical system reliability in southern California. In order for Applicant to properly manage the Project, Applicant respectfully requests the Committee or Hearing Officer direct Staff to provide a complete status update on the PSA Part A and Part B and each of the sections contained therein, including any outstanding issues Staff may be in the process of addressing, and/or hold a Status Conference as soon as practicable to ensure timely publication of a PSA in this proceeding.

If you have any questions, please feel free to contact me or Kristen Castaños at (916) 447-0700.

Very truly yours,

Melissa A. Foster

MAF:jmw