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| Document Title: | Randall Fung's public comment questions |
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| Filer: | Paul Kramer |
| Organization: | Randall Fung |
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RANDALL FUNG

11/18/13

CEC HEARING QUESTIONS

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What is the protocol and procedures if BRP were to suddenly fail and no longer exist?

With BRP out of the picture, who has jurisdiction over the left over property and required deconstruction?

Where in the estimates are the funds to cover the costs of an external oversight entity?

Does that entity have right of way through High Valley Rd seeing that BRP would no longer exist.

If alternative road rights (for example, Cold Water Creek Road) have to be purchased, or Road rights fought in court, does the bond cover this cost?

I believe the current recommended estimate ASSUMES that the deconstruction will take place through High Valley Rd. You've all seen how narrow that is.

Would the deconstruction require a permit through the County of Lake? with hearings. The Lake County use permit requires a guard at gate from Bottle Rock Rd to High Valley for all phases of construction. Of course that should include deconstructions, so is the cost of a guard at the gate included in the estimate?

As co-dischargers, would V.V & J Coleman Family Trust then solely be responsible for the decommissioning if BRP were to walk away?

The proposed amendment states that there is an agreement with the VV&J Coleman Family trust to take over the closure of the building. What are the terms exactly, and if that is unknown, then how can the CEC just accept that without disclosure.

By having the V.V & J Coleman Family Trust take over the possession of the building, isn't that essentially a reduced decommissioning?

Have these particular environmental impacts with leaving the building standing ever been studied? If so where and when was this examined.

So can the CEC approve this agreement for reduced decommissioning without considering CEQA?

Who will pay for the maintenance of the building?

Shouldn't V&J Coleman Family Trust be required to hold a bond for this as well?

Are V.V & J Coleman Family trust named as co-dischargers under the current jurisdiction of the CEC and can the CEC require them to also hold a decommission or maintenance bond?

In closing, I implore the California Energy Commission to ponder the above statements and re-evaluate whether all these questions have been considered in acceptance of the proposed bond. The bond must be secured for the protection of the environment and neighborhood.

Bottle Rock Power has no assets and is a limited liability corporation with an extremely poor performance record. V.V & J Coleman Family Trust has limited experience in the Power industry and is a limited liability corporation with little assets. The bond should be of a value to reflect actual closing costs with adequate oversight following the LORS of California and Lake County.