

## DOCKETED

<b>Docket Number:</b>	79-AFC-04C
<b>Project Title:</b>	Compliance - Application for Certification of DWR Bottlerock Geothermal Project
<b>TN #:</b>	201678
<b>Document Title:</b>	Notice of Commission Hearing
<b>Description:</b>	Hearing on Appeal of Committee Decision Notice
<b>Filer:</b>	Susan Cochran
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Energy Commission
<b>Submission Date:</b>	2/7/2014 11:41:31 AM
<b>Docketed Date:</b>	2/7/2014



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – WWW.ENERGY.CA.GOV

***IN THE MATTER OF THE  
COMPLAINT AGAINST THE BOTTLE ROCK  
GEOTHERMAL POWER PLANT***

**DOCKET No. 12-CAI-04**

**NOTICE OF ENERGY COMMISSION HEARING ON APPEAL OF  
COMMITTEE DECISION INCLUDING BOTTLE ROCK POWER'S  
REQUEST TO WITHDRAW ITS APPEAL**

**PLEASE TAKE NOTICE** that the California Energy Commission will conduct a hearing on the appeal of the Committee Decision on the Complaint Against the Bottle Rock Geothermal Power Plant as follows:

***Tuesday, February 18, 2014  
Beginning at 10:00 a.m.***

**California Energy Commission  
Hearing Room A  
1516 Ninth Street  
Sacramento, CA 95814  
(Map Attached)**

**Purpose of Hearing**

The purpose of the hearing will be to receive party responses and arguments and public comments on the Request to Withdraw Appeal of the Committee's Decision Sustaining Coleman Complaint and Close the Complaint Proceeding (TN 201631 in Bottle Rock Compliance Docket 79-AFC-04C) filed by Bottle Rock Power LLC (Bottle Rock) on February 4, 2014. The Commission will also consider the referral of the question of whether Bottle Rock should be penalized for violating a condition of certification and, if so, the amount of the penalty.

**Procedural History**

David Coleman filed a complaint on October 11, 2012, alleging that the Bottle Rock project violated conditions of a 2001 Energy Commission order approving a change of ownership of the project. A Committee (Commissioner Douglas, presiding, and Chair

Weisenmiller, associate member) conducted a hearing on the complaint on January 22, 2013. On February 6, 2013, the Committee issued its decision finding that Bottle Rock violated the condition requiring that it maintain a closure bond (TN 69413). While the Committee's decision was final unless appealed, the Committee was not empowered to decide whether to penalize Bottle Rock for the violation or set the amount of a penalty. Instead, it referred the question of a penalty to the full Energy Commission for consideration.

Bottle Rock appealed the Committee Decision on February 20, 2013 (TN 69612). It also filed a petition to amend its conditions of certification requiring the bond. Its appeal was stayed (TN 70091) pending the outcome of a separate amendment proceeding, which concluded on December 16, 2013 with the filing of an order amending the bond requirement (79-AFC-04C, TN 201441). On February 4, 2014, Bottle Rock filed its Request to Withdraw Appeal of the Committee's Decision Sustaining Coleman Complaint and Close the Complaint Proceeding, one of the subjects of this hearing.

### **Participating by Telephone at a Business Meeting**

To participate by telephone, please call toll free 1-888-823-5065 on Business Meeting days after 10:01 a.m. (PDT). The pass code for the meeting is "Business Meeting" and the call leader is Jerome Lee. If you plan to speak on a specific item, please give the operator the item number.

**To avoid occasional technical problems with the Commission's telephone link, the Commission recommends that a written comment also be submitted either by facsimile or e-mail to the Public Adviser by 5 p.m. two days before the scheduled business meeting. Fax (916) 654-4493 or e-mail [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov).**

The Business Meeting is broadcast via WebEx, the Energy Commission's on-line meeting service. To listen to the meeting and view any presentations, please paste the following link into your browser:

**<https://energy.webex.com/energy/onstage/g.php?t=a&d=927405223>**

You may also go to **<https://energy.webex.com/ec>** and enter Meeting Number **927 405 223**. The meeting password is **mtg@10am**.

**If you wish to speak to the Commission regarding this or any other item on the agenda, use the 1-888 number, above. The WebEx broadcast is listen only. To both view the presentations on your computer and speak to the Commissioners, log in to the WebEx meeting but call the 1-888 number instead of joining the WebEx audio broadcast.**

The Agenda for the February 18, 2014 business meeting will be posted ten days before the meeting at: [http://www.energy.ca.gov/business\\_meetings/index.html](http://www.energy.ca.gov/business_meetings/index.html)

### **Public Participation**

The Energy Commission Public Adviser's Office is available to assist the public in participating in the amendment process. For those individuals who require general

information on how to participate, please contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228 or e-mail: publicadviser@energy.ca.gov.

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz at (916) 654-5146 or e-mail: lou.quiroz@energy.ca.gov.

Questions of a legal or procedural nature should be directed to Paul Kramer, the Hearing Adviser, at (916) 654-5103 or e-mail: paul.kramer@energy.ca.gov.

Technical questions concerning the project should be directed to Camille Remy-Obad, the Staff Compliance Project Manager, at (916) 654-3940, or e-mail: camille.remy-obad@energy.ca.gov.

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail at: mediaoffice@energy.ca.gov.

Information concerning the status of the project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet web page at: <http://www.energy.ca.gov/sitingcases/bottlerock/>.

Dated: February 4, 2014, at Sacramento, California.

***Original Signed By:***

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ROBERT B. WEISENMILLER  
Chair

**Bottle Rock Complaint Commission Hearing:  
Tuesday, February 18, 2014  
Beginning at 10:00 a.m.**

**California Energy Commission  
Hearing Room A  
1516 Ninth Street  
Sacramento, CA 95814**

