

## DOCKETED

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**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA**

Application for Certification for the  
Willow Pass Generating Station

Docket No. 08-AFC-6

**NRG WILLOW PASS LLC  
REQUEST FOR SUSPENSION**

May 23, 2014

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In accordance with Section 1716.5 of the regulations of the California Energy Commission (“Commission”), NRG Willow Pass, LLC (“Willow Pass”) requests suspension of this proceeding. Willow Pass submitted an application for certification for the Willow Pass Generating Station, a 550 megawatt, natural gas-fired electricity generating facility to be located in Pittsburg, California (the “Willow Pass Project”). As explained below, Willow Pass remains committed to developing the Willow Pass Project but is not in a position to pursue active certification at this time. As a result, review of the application has effectively been in suspension, but without a Commission order or other official recognition to that effect. To assist the Commission in identifying which projects are in the active permitting stage and which are temporarily “on hold,” Willow Pass requests that the Commission formally suspend active review of the Willow Pass Project.

Willow Pass and its ultimate parent, NRG Energy, Inc. (“NRG”), remain committed to pursuing the Willow Pass Project and continue to seek opportunities to restart active development. The timing likely depends on the availability of a long-term contracting opportunity that would support financing and construction. The California Public Utilities Commission (“CPUC”) conducts a biennial long-term procurement plan (“LTPP”) process that typically evaluates the need for new electricity generating capacity to meet reliability needs within the service territories of the three major investor-owned utilities. The CPUC recently initiated a new LTPP cycle and in that proceeding the CPUC will consider the need for flexible generating capacity and other resources to meet long-term reliability needs. The LTPP process could lead to contracting opportunities for new resources such as the Willow Pass Project.

The Willow Pass Project is well situated to meet reliability needs in the Greater Bay Area Local Reliability Area. It will be located on a parcel of land that is adjacent to the site of the existing Pittsburg Generating Station. The land is currently owned by another subsidiary of

NRG, but would be conveyed to Willow Pass by its affiliate. NRG thus holds long-term site control and there are no uncertainties associated with site ownership. The Willow Pass Project also will be adjacent to an existing transmission switchyard and very close to an existing natural gas pipeline, thus avoiding the need to construct significant new interconnection facilities. NRG also holds sufficient emission reduction credits to construct the Willow Pass Project in compliance with applicable air quality laws, ordinances, standards and regulations. For these reasons, the Willow Pass Project is a highly viable project that is ideally suited to support reliability and meet future needs for flexible generating capacity.

The existing record indicates that no major issues have been identified for the Willow Pass Project. As reported in previous status reports, there is additional work to be done to complete the site investigation contemplated in the staff-approved *Work Plan for Focused Site Investigation and Focused Health Risk Assessment* that was prepared by a consultant to Pacific Gas and Electric Company (“PG&E”), the former owner of the project site, in response to staff’s Data Requests 73 through 75. The work plan provides for collection of soil vapor and groundwater samples and preparation of a focused Health Risk Assessment that includes a Human Health Risk Assessment and a Screening Level Ecological Risk Assessment (“HRA”). At the appropriate time, Willow Pass will work with PG&E to conduct the sampling and prepare the HRA for submission to staff. Further, once active development resumes, Willow Pass will provide an updated analysis in all resource areas to facilitate staff’s analysis of the Willow Pass Project, and will be prepared to supply all additional information that may be needed to complete the certification process and support Commission approval.

Because the ongoing planning processes could lead to competitive solicitations for new capacity, Willow Pass asks the Commission to keep the Willow Pass Project in suspension to reflect its continued status as a project that is in development and available for contracting. Any determination that could be construed as a termination or cancellation of the Willow Pass Project would be contrary to the intent of Willow Pass and NRG to continue to pursue its development, and would send the wrong signal to potential buyers of the Willow Pass Project’s output.

Willow Pass appreciates the Commission’s consideration of this request. Willow Pass will continue to keep the Commission informed of progress in status reports according to any schedule that may be established.

May 23, 2014

Respectfully submitted,



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