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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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**APPLICATION FOR CERTIFICATION FOR THE
SAN GABRIEL GENERATING STATION**

Docket No. 07-AFC-02

ENERGY COMMISSION STAFF MOTION TO TERMINATE PROCEEDING

BACKGROUND

On April 13, 2007, San Gabriel Generation, LLC, a wholly-owned subsidiary of NRG, filed an Application for Certification (AFC) with the California Energy Commission and was determined to be data adequate on May 23, 2007. The proposed San Gabriel Generating Station (SGGS) would consist of a 696 megawatt natural gas-fired combined cycle power plant and associated linear facilities located on a brown field site primarily within the existing sixty (60) acre Etiwanda Generating Station property.

In June 2009, Applicant filed its first request and received a six-month suspension citing difficulties obtaining scarce emission reduction credits in the South Coast air basin. In December 2009, Applicant filed its second request and received a second six-month suspension

In 2010, 2011, 2012, 2013 and 2014, the Applicant has filed and received additional 12-month suspensions. In its last request for continued suspension, Applicant indicated that permitting difficulties still exist due to the continued unavailability within the South Coast Air Basin of emission offsets needed to satisfy applicable SCAQMD rules.

THE SAN GABRIEL APPLICATION SHOULD BE TERMINATED

After eight years, Applicant has been unable to pursue the San Gabriel application with due diligence. Commission regulations provide that “any party may, based on the applicant’s failure to pursue an application or notice with due diligence, file a motion to terminate the . . . application proceeding.” (Cal. Code Regs., tit. 20, §1720.2, subd. (a).) It follows that the full Commission should terminate the San Gabriel Generating Station proceeding. (Cal. Code Regs., tit. 20, § 1720.2, subd. (b) [requiring action to terminate a proceeding to be by “full commission”].)

THE APPLICATION IS STALE AND A NEW APPLICATION IS WARRANTED

Applicant's application was filed more than eight years ago when the environmental baseline was described. Much has changed in eight years, and virtually all the information and data relied upon to determine the environmental assessment is stale and needs to be refreshed. Applicable laws, ordinances, regulations and standards must also be reevaluated for consistency. Supplementing the original application would not be in the interest of staff, agencies and the public. A new Application for Certification would be the best way to restart an application proceeding when all the project details are known and the applicant is able to diligently pursue project certification.

Date: June 30, 2015

Respectfully Submitted,

Originally Signed By
Roger E. Johnson, Deputy Director
Siting, Transmission and
Environmental Protection Division