

DOCKETED

Docket Number:	12-AFC-03
Project Title:	Redondo Beach Energy Project
TN #:	206269
Document Title:	Notice of Committee Conference (Closed Session) and Notice of Status Conferences
Description:	10/12/2015 9:30 a.m. Committee Conference (closed session) & Status Conferences at 2:00 pm on 11/23/2015 & 1/4/2016
Filer:	Maggie Read
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
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Docketed Date:	10/2/2015



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

**Application for Certification for the
REDONDO BEACH ENERGY PROJECT**

Docket No. 12-AFC-03

**NOTICE OF COMMITTEE CONFERENCE (CLOSED SESSION)
AND
NOTICE OF STATUS CONFERENCES**

PLEASE TAKE NOTICE that the Energy Commission Committee¹ (Committee) assigned to conduct proceedings on the Application for Certification (AFC) for the Redondo Beach Energy Project (RBEP) has scheduled the following conferences to discuss pending motions in closed session, as well as to discuss the schedule for the proceedings and consider any then-pending motions or petitions:

COMMITTEE CONFERENCE (CLOSED SESSION)

Monday, October 12, 2015

Beginning at 9:30 a.m.

Third Floor Conference Room Fishbowl

STATUS CONFERENCES

Monday, November 23, 2015

Beginning at 2:00 p.m.

Art Rosenfeld Hearing Room (Hearing Room A)

and

Monday, January 4, 2016

Beginning at 2:00 p.m.

Art Rosenfeld Hearing Room (Hearing Room A)

¹ Energy Commission Commissioners, Karen Douglas, Presiding Member, and Janea A. Scott, Associate Member. The full Commission made this Committee assignment on August 27, 2013.

The above-scheduled meetings will be held at:

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

PLEASE NOTE: The October 12, 2015, Committee Conference will be a closed session for the Committee to deliberate on the pending discovery motions. Parties and the public are advised not to travel to Sacramento as the public portion of the agenda will be brief and to use the WebEx system instead.

As allowed by California Code of Regulations, title 20, section 1208, the public portion of the October 12, 2015, Committee Conference may be conducted by the Hearing Adviser without either member of the Committee being present.



TELECONFERENCE OPTION: Parties and the Public may attend the meetings in person at the above location or by telephone and/or by computer via our "WebEx" web conferencing system. For details on how to participate by WebEx, please see the "Participation through WebEx" directions attached to this Notice.

Background

On November 20, 2012, the applicant, AES Southland, LLC (AES) submitted the AFC to the California Energy Commission seeking permission to construct and operate a power generation facility, the RBEP, located at 1100 North Harbor Drive, in the city of Redondo Beach, Los Angeles County. The site is southeast of the intersection of North Harbor Drive and Herondo Street. The project would be located entirely within the footprint of the existing AES Redondo Beach Generating Station, an operating power plant.

Energy Commission staff (Staff) published the Preliminary Staff Assessment (PSA) on July 28, 2014. Beginning in September 2014, the proceeding was suspended for approximately eight months while AES pursued an initiative to change the land use plan for the site.

The Committee held a status conference on September 11, 2015. At the status conference, the Committee discussed issues relating to the AFC, including whether to bifurcate the proceedings, and two pending discovery motions with the parties and the public. The discussion continued conversations begun at the prior Committee Conference held on August 5, 2014, where the lack of information about the timing of receipt of the Final Determination of Compliance (FDOC) from the South Coast Air Quality Management District (SCAQMD or District) hampered the Committee's ability to

determine whether to bifurcate the issuance of the Final Staff Assessment (FSA) and/or the hearings on that FSA.

Bifurcation

At the September 11, 2015, Status Conference, Mohsen Nazemi, the Deputy Director of the SCAQMD, participated by telephone. Mr. Nazemi stated during the status conference that the District expects to issue the FDOC by late October or early November 2015. AES stated its appreciation to the District for its efforts, but still asked the Committee to bifurcate the proceedings. Staff, on the other hand, did not support bifurcation, indicating that other issues unrelated to air quality (e.g. noise) could benefit from additional workshops. Intervenor, the City of Redondo Beach and City of Hermosa Beach, also objected to bifurcation for various reasons unrelated to the issuance of the FDOC. The objections by the City of Redondo Beach and the City of Hermosa Beach focused on what additional discovery might be permitted (see "Discovery Motion", below) that may impact the analysis of alternatives and other topics in the FSA, as well as the completion of a study the City of Redondo Beach was sponsoring on population density near the plant. The City of Redondo Beach and the City of Hermosa Beach also discussed the need for additional conditions of certification for the project based on a recent release of raw natural gas from the current plant that was smelled by residents of both cities. Finally, the City of Redondo Beach and the City of Hermosa Beach discussed the pendency of an action filed by AES against the California Coastal Commission regarding the potential presence of wetlands on the project site.

Discovery Motions

In addition to scheduling and bifurcation, the Committee also received information on two discovery motions brought by the City of Redondo Beach: a motion to compel AES to produce certain noise data and a motion for the issuance of a subpoena directed to the California Public Utilities Commission (CPUC) and Southern California Edison (SCE).

Motion to Compel

The City of Redondo Beach has asked the Committee to compel AES to produce certain documents relating to the noise calculations included in the AFC and used in the PSA.² On August 28, 2015, AES produced information purportedly responsive to the City's request.³ Therefore, the discussion at the status conference focused on whether the applicant had provided the information requested by the City of Redondo Beach.

For its part, Staff stated that, while it had previously supported the motion, it had received all of the information it believed necessary to complete the analysis necessary for the FSA.

AES contended that good cause to reopen discovery had not been shown and that the information provided on August 28, 2015, was fully responsive to the motion. The City of Redondo Beach argued that the data produced on August 28 was not fully responsive to the requests.⁴

Motion for Issuance of a Subpoena

In addition to the above motion to compel, the City of Redondo Beach filed a motion for a subpoena on August 27, 2015.⁵ The subpoena, if issued, would direct the CPUC and SCE to disclose the names and locations of the 195 proposals received by SCE during its most recent power procurement process before the CPUC.

At the September 11, 2015, the Hearing Officer was directed to seek input from the CPUC and SCE on the issuance of a subpoena.⁶ Both the CPUC and SCE have docketed responses to the Hearing Officer's request for their positions⁷. The Committee thanks both the CPUC and SCE for their timely responsiveness.

Purpose of the Committee Conference and the Status Conferences

The purpose of the Committee Conference is to discuss, in closed session, the responses received from the CPUC and SCE regarding the requested subpoena and other issues, if any, related to the timely processing of the AFC.

The purpose of the Status Conferences is to discuss the status of the project and future schedule of the RBEP proceeding.

Closed Sessions

The Committee may temporarily adjourn into closed session at any of the noticed conferences to deliberate pursuant to Government Code section 11126.

² TN 205633.

³ TN 205909.

⁴ TN 206063.

⁵ TN 205884.

⁶ The letter seeking the positions of the CPUC and SCE can be found at TN 206101.

⁷ The CPUC's response can be found at TN 206200. SCE's response is found at TN 206209.

Public Participation and Public Adviser

Members of the public are welcome to attend and offer comments at the Committee Conference. It is not necessary to be an intervenor to participate in the public process. Comments may be submitted in writing. Simply visit the website at:

http://www.energy.ca.gov/sitingcases/redondo_beach/

and click on the “Submit e-Comment” link in the “Original Proceeding” box. Otherwise, written comments may be submitted by e-mailing them to docket@energy.ca.gov, or by U.S. Mail to: California Energy Commission - Docket Unit, 12-AFC-03, 1516 Ninth Street, MS-4, Sacramento, CA 95814. For all comments, please include the docket number and proceeding name, “12-AFC-03; Redondo Beach Energy Project”, on the subject line and the cover page.

PLEASE NOTE: Your written and oral comments, attachments, and associated contact information (e.g., your address, phone, e-mail, etc.) become part of the viewable public record. Additionally, this information may become available via Google, Yahoo, and other search engines.

The Energy Commission’s Public Adviser’s Office is available to provide the public with an understanding of the proceedings and to make recommendations for meaningful participation. For assistance, contact Alana Mathews, Public Adviser, at (916) 654-4489 or (800)822-6228, or by e-mail at: publicadviser@energy.ca.gov.

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz no less than five days prior to the hearing at (916) 654-5146, or by e-mail at: lou.quiroz@energy.ca.gov.

Information

Questions of a legal or procedural nature should be directed to Susan Cochran, Hearing Adviser, at (916) 654-3965, or by e-mail at: susan.cochran@energy.ca.gov.

Technical questions about the project should be addressed to Keith Winstead, Staff Project Manager, at (916) 654-5191, or by e-mail at keith.winstead@energy.ca.gov.

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

Information regarding the status of the project, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the Energy Commission's Internet web page at: http://www.energy.ca.gov/sitingcases/redondo_beach/.

Dated: October 1, 2015, at Sacramento, California.

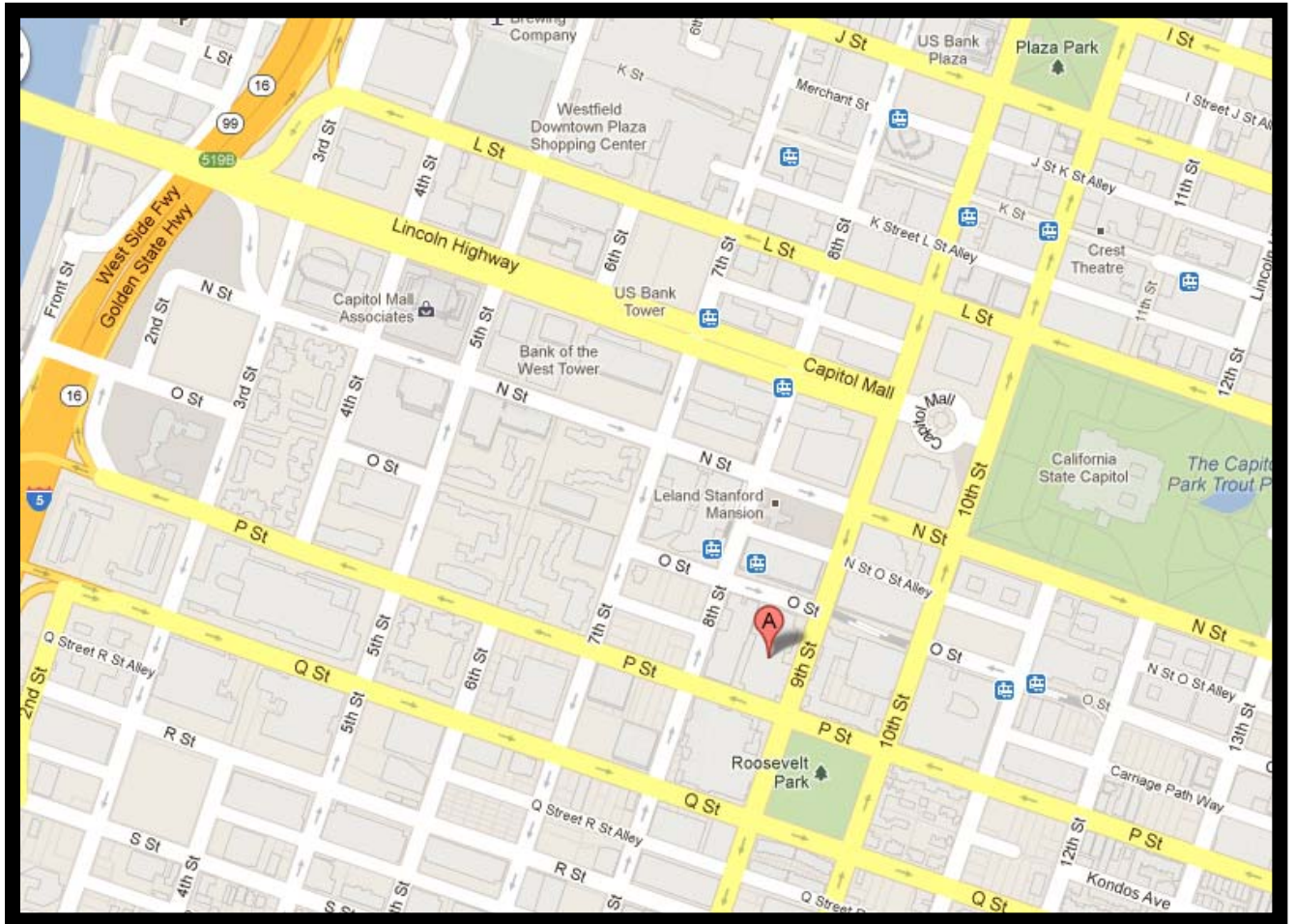
Original signed by

KAREN DOUGLAS
Commissioner and Presiding Member
Redondo Beach Energy Project
AFC Committee

Original signed by

JANEA A. SCOTT
Commissioner and Associate Member
Redondo Beach Energy Project
AFC Committee

**The Redondo Beach Energy Project AFC
Committee Conference (Closed Session)
and Status Conferences
will be located at:
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814**





**INSTRUCTIONS FOR USING WEBEX TELECONFERENCING
USING YOUR COMPUTER AND/OR TELEPHONE**



EVENT	DATE & TIME	MEETING NUMBER	PASSWORD
Committee Conference (Closed Session)	Monday, October 12, 2015 9:30 a.m.	920 210 808	pwd#1516
Status Conference	Monday, November 23, 2015 2:00 p.m.	922 422 292	pwd#1516
Status Conference	Monday, January 4, 2016 2:00 p.m.	923 184 298	pwd#1516

Using Your Computer:

1. Go to <https://energy.webex.com> and enter the above meeting number.
2. When prompted, enter your name, e-mail address, and the meeting password above.
3. After a moment, an Audio Conference Box will offer you a choice of audio connections:
 - a) To have WebEx call you back: Type your area code and phone number into the drop down box and click “Call Me” (Click on “Use Phone” if you do not see the drop down box.)
 - b) To call into the teleconference from your phone (if, for example, your phone is an extension or you are an international caller): Use the drop-down box to select “I will Call in” and follow the on-screen directions. Click “All global call-in numbers” if you need to look up an international call-in number.
 - c) To listen and talk over your computer: If you have the needed equipment and your computer is configured, click the “Call Using Computer” button. (You may need to click “Use Computer for Audio” to make the button visible.)

Telephone Only:

1. Call 1 (866) 469-3239 (toll-free in the U.S. and Canada). International Callers can select a global call-in number at <https://energy.webex.com/energy/globalcallin.php>.
2. When prompted enter the meeting number above.

Please be aware that WebEx audio and on-screen activity may be recorded. WebEx Technical Support is available at 1 (866) 229-3239.

**Redondo Beach Energy Project
Committee Conference (Closed Session)**

**California Energy Commission
1516 Ninth Street
Sacramento, CA 95814**

**Monday, October 12, 2015, beginning at 9:30 a.m.
Third Floor Fishbowl Conference Room**

Meeting Agenda

1. Call to Order
2. Public Comment

Members of the public and other interested persons and entities may speak up to three minutes on a matter appearing on this agenda.

3. Closed Session

Committee closed session consideration of the following items:

Redondo Beach Energy Project AFC (12-AFC-03) and deliberation on matters for decision by the Committee such as pending motions and scheduling.

The Committee may adjourn to closed session in accordance with Government Code section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct. The Committee may adjourn to a closed session at any point during the meeting and may conduct multiple closed sessions as necessary.

4. Adjourn

Agency contact: Susan Cochran, Hearing Adviser, (916) 654-3965 or by e-mail at: susan.cochran@energy.ca.gov

This agenda was prepared in advance of the committee conference. In the event of a substantial change to the agenda, a revised agenda would be filed in the Docket and available in the project's Docket Log at: <http://www.energy.ca.gov/sitingcases/redondobeach>.