

DOCKETED

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STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission

In the Matter of:

DOCKET NO. 00-AFC-14C

**THE EL SEGUNDO ENERGY CENTER
AMENDMENT**

**EL SEGUNDO ENERGY CENTER LLC'S
SUPPLEMENTAL IDENTIFICATION OF WITNESSES AND EXHIBITS
FOR THE NOVEMBER 17, 2015 EVIDENTIARY HEARING**

On September 23, 2015, the Committee assigned to this proceeding issued a Notice of Prehearing Conference and Evidentiary Hearing, Scheduling Order and Further Orders (“Notice and Order”). The Notice and Order directed all parties to docket a Prehearing Conference Statement and Exhibit List (“Prehearing Conference Statement”) in which each party was to identify witnesses the party intends to sponsor at the Evidentiary Hearing and exhibits the party intends to offer into evidence. Parties were also directed to identify subject areas that remain in dispute and require adjudication at the November 17, 2015 Evidentiary Hearing.

Project Owner docketed its Prehearing Conference Statement on October 19, 2015. One of the areas in dispute identified by Project Owner was Condition of Certification COM-13 which governs incident reporting. Project Owner and Staff have disagreements as to novel terms that Staff seeks to incorporate into the incident-reporting requirement and on whether a one-hour reporting timeframe is appropriate.

In its Prehearing Conference Statement, Project Owner indicated that the scope of disagreement appeared to be minor. Project Owner and Staff expressed an openness to trying to reach agreement on this condition ahead of the Evidentiary Hearing. Staff has scheduled a Workshop on November 12, 2015, so that the parties can try to reach agreement on several of the few remaining areas in dispute (including COM-13).

After further discussions with Staff, Project Owner believes it might not be possible to reach agreement on COM-13 before the Evidentiary Hearing. Project Owner also believes that it may be necessary for an additional witness, Brian Theaker, to sponsor testimony at the Evidentiary Hearing. Brian Theaker is NRG Energy Inc.’s Director for Regulatory Affairs. His testimony would be focused on the dispatchability trigger for incident reporting inserted into the Combined FSA. Mr. Theaker’s testimony would be in addition to the previously identified testimony of Scott Seipel on the compliance difficulties associated with the version of COM-13 proposed by Staff in the Combined FSA.

Project Owner also notes that it inadvertently failed to identify its Written Testimony (TN-206334) as an Exhibit in its Prehearing Conference Statement. Project Owner, therefore,

hereby files its Supplemental Identification of Witnesses and Exhibits for the purpose of identifying an additional witness and an additional exhibit ahead of the Evidentiary Hearing.

Supplemental Identification of Witnesses

Witness	Quals.	Subject Area	Form	Summary of Testimony	Time Required
Brian Theaker	See Attached Resume	COM-13	Oral (in person).	The newly introduced reduction of dispatchability incident-reporting trigger creates compliance difficulties and could lead to almost-daily reporting of commercially-sensitive dispatch information.	10 minutes

Supplemental Identification of Exhibits

Exhibit Number	Document TN	Document Title	Subject Area(s)
1041	206334	Project Owner's Written Testimony	AQ, Clutch Technology, Contingency Conditions, COM-10, COM-11, COM-12, COM-13, HAZ-5, Project Owner's Testimony

November 10, 2015

Locke Lord LLP

By: 
 John A. McKinsey
 Attorneys for El Segundo Energy Center LLC

PROFESSIONAL EXPERIENCE

NRG Energy, Inc. (2011-present)

- Director of Regulatory Affairs

Dynegy (2007-2011)

- Director of Regulatory Affairs

Williams Company (2005-2007)

- Manager of Regulatory Affairs

Responsibilities for the above positions:

- Representing my company's interests in federal and state regulatory matters through written pleadings and in-person comments
- Identifying and communicating the commercial, operational and business process impacts of regulatory matters
- Coordinating the development of company positions and advocacy on regulatory matters
- Drafting and reviewing regulatory pleadings and comments in stakeholder processes

California Independent System Operator Corporation (1997-2005)

- Director of Regulatory Affairs (2001-2005)
 - Represented the CAISO's interests in matters before the Federal Energy Regulatory Commission
- Manager of Reliability Contracts (2000-2001)
 - Supervised a group that negotiated and managed the administration of Reliability Must-Run Agreements for 15,000 MW of generating units
- Operating Engineer (1997-2000)
 - Represented the CAISO in the development and settlement of the Reliability Must-Run Agreement, which provided the CAISO with dispatch rights to generation needed to maintain the reliability of the bulk electric system and provided compensation to the owners of that generation

Los Angeles Department of Water and Power

- Electrical Engineering Associate
 - Investigated system disturbances and authored the associated reports
 - Developed computer applications for operations support, including: hydro-thermal optimization, economic dispatch, load forecasting and transmission outage tracking
 - Conducted power flow and system reliability analyses
- Electrical Engineering Assistant

Brian D. Theaker
3161 Ken Derek Lane, Placerville, California 95667
theaker@placerville.net 530-295-3305

- Developed, supervised and reported on special tests of power system equipment

EDUCATION

- Master's Degree in Business Administration, Pepperdine University, Malibu, California
- Bachelor of Science Degree in Electrical Engineering, Ohio State University, Columbus, Ohio

PROFESSIONAL MEMBERSHIPS

- Elected Member of Western Electricity Coordinating Council Member Advisory Committee (2013-present)
 - Currently serving as Vice-Chair
- Elected Member of Western Electricity Coordinating Council Board of Directors (2008-20013)
 - Chaired Bulk Electric System Definition Task Force, Regional Criteria Working Group, Data Sharing Task Force; served as Vice-Chair of Reliability Policy Issues Committee
- Registered California Professional Engineer (California 12612)