

DOCKETED

Docket Number:	12-AFC-02C
Project Title:	Huntington Beach Energy Project - Compliance
TN #:	212210
Document Title:	Amended Committee Scheduling Order
Description:	Issued in July, 2016. Supersedes previously issued schedules.
Filer:	Paul Kramer
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	7/8/2016 3:52:34 PM
Docketed Date:	7/8/2016



**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**

***PETITION TO AMEND THE
HUNTINGTON BEACH ENERGY PROJECT***

DOCKET No. 12-AFC-02C

AMENDED COMMITTEE SCHEDULING ORDER

Background

On September 9, 2015, AES Southland, LLC (project owner or Petitioner) submitted a Petition to Amend (Petition) to the California Energy Commission (Energy Commission) seeking permission to amend the certified Huntington Beach Energy Project (HBEP).¹ The Petition proposes to reduce the nominal generation capacity of the HBEP from 939 megawatts (MW) to 844 MW (644 MW generated from combined-cycle technology and 200 MW from simple-cycle technologies) (the Amended HBEP). The Amended HBEP site is located in the City of Huntington Beach, just north of the intersection of the Pacific Coast Highway and Newland Street. The Amended HBEP would be located entirely within the footprint of the existing AES Huntington Beach Generating Station, an operating power plant.

Further details of the proposed Amended HBEP are contained in the Petition, which may be viewed at:

<https://efiling.energy.ca.gov/getdocument.aspx?tn=206087>

Summary

The Energy Commission, on October 14, 2015, designated Andrew McAllister, Commissioner and Presiding Member, and Karen Douglas, Commissioner and Associate Member, as the Committee² to conduct proceedings on the proposed amendment. On January 14, 2016, the Committee issued a Committee Schedule

¹ The Energy Commission issued its Final Decision allowing Petitioner to construct and operate the HBEP on October 29, 2014 (the 2014 Decision). The 2014 Decision can be found at: <https://efiling.energy.ca.gov/getdocument.aspx?tn=203309>.

² Cal. Code Regs., tit. 20, § 1204.

containing a list of events that would need to occur in order to complete the Energy Commission amendment process.³

On March 9, 2016, the Committee filed its “Amended Committee Scheduling Order” (March Scheduling Order).⁴

On June 22, 2016, the Committee held its third Status Conference on the Petition. The Committee noted that the SCAQMD filed its Preliminary Determination of Compliance (PDOC) on June 8, 2016⁵ and discussed subsequent events in the proceeding. One identified unknown was the preparation and filing of a report by the California Coastal Commission (pursuant to Coastal Act section 30413(d)). Staff filed the PSA on June 24, 2016.

The Committee has prepared the attached schedule to more accurately reflect the project’s expected timeline. However, because of the timing uncertainties, the parties are on notice that the Committee may modify the Committee Schedule at any time upon either its own motion or that of a party, which may include bifurcation of any delayed subject areas to ensure the efficient processing of the Petition. If the Committee finds that some subject areas should be delayed, the non-affected subject areas are expected to adhere to the schedule attached to this Order.⁶

Status Reports and Conferences

This amended Committee Schedule continues the requirement that the parties file periodic status reports to advise the Committee on the satisfactory progress on case development and to bring potential schedule concerns or other relevant matters to the Committee’s attention. The burden is on the Petitioner to produce the necessary data according to the schedule. If there are delays, the Committee may adopt a performance-based approach resulting in a commensurate lengthening of the schedule.

These status reports continue to be due on or before the first of each month. Parties must file (docket) and serve documents using the e-filing system on the California Energy Commission’s website by clicking on the “Submit e-Filing” link in the “Compliance Proceeding” box at:

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

³ TN 207324.

⁴ TN 210666.

⁵ TN 211747.

⁶ Cal. Code Regs., tit. 20, § 1203, subd. (c).

Public Adviser and Public Participation

The Energy Commission invites members of the public and other interested parties to participate either on an informal basis or by intervening in the proceeding. Both types of participation allow written and oral comments. At the informal participation level, written and oral public comments are considered by the Committee and are part of the record, but are not part of the formal evidentiary record. Intervenors have the right to introduce evidence into the evidentiary record and cross-examine the other parties' witnesses.

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.

Contact Information

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

Technical questions concerning the project should be addressed to John Heiser, Staff Project Manager, by email at john.heiser@energy.ca.gov or at (916) 653-8236.

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

Information concerning the status of the proposed Amended HBEP, 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/huntington_beach_energy/

Dated: July 8, 2016, at Sacramento, California

ORIGINAL SIGNED BY:

ANDREW McALLISTER
Commissioner and Presiding Member
Huntington Beach Energy Project
Amendment Committee

ORIGINAL SIGNED BY:

KAREN DOUGLAS
Commissioner and Associate Member
Huntington Beach Energy Project
Amendment Committee

**HUNTINGTON BEACH ENERGY PROJECT
SCHEDULE
JULY 2016**

ACTIVITY	DUE DATE OR DATE COMPLETE
Petition to Amend filed by Petitioner	September 10, 2015
Status Report from all parties due on the 1st of each month	February 1, 2016 and the 1st of each month thereafter
SCAQMD Issues Preliminary Determination of Compliance (PDOC)	June 8, 2016
Status Conference	June 22, 2016 10:00 a.m.
Preliminary Staff Assessment Published	June 24, 2016
Staff holds PSA Workshop	No later than July 29, 2016
Public comment on the PSA closes	July 29, 2016
SCAQMD Issues Final Determination of Compliance (FDOC)**	August 8, 2016
Coastal Commission provides its report**	August 18, 2016
Staff publishes Final Staff Assessment (FSA)	August 22, 2016
Last day to file Petition to Intervene ⁷	August 29, 2016
All Parties file Opening Testimony	August 29, 2016
All Parties file Rebuttal Testimony and Prehearing Conference Statements with Exhibit Lists	September 6, 2016
Prehearing Conference (PHC)	September 9, 2016
Evidentiary Hearings (EH)	September 16, 2016
Committee files Presiding Member's Proposed Decision (PMPD)	Late October 2016
Committee Conference on PMPD	Mid-November 2016

⁷ "A petition for intervention shall be filed no later than the deadline established by the presiding member, or if none is established, at least 30 days before the first evidentiary hearing in the proceeding." Cal. Code Regs., tit. 20, § 1211.7, subd. (b).

Close of Public Comment Period on PMPD	Late November 2016
Committee files Errata or Revised PMPD (if necessary)	TBD*
Energy Commission Final Decision	December 2016 or January 2017 Business Meeting

*TBD = To Be Determined

** The dates for SCAQMD's FDOC and for the Coastal Commission report (prepared pursuant to Coastal Act section 30413(d)) may vary, which may affect the ultimate schedule.

Note: The Committee may modify the schedule at any time upon either its own motion or that of a party, which may include bifurcation of any delayed subject areas to ensure the efficient processing of the Petition. If the Committee finds that some subject areas should be delayed, the non-affected subject areas are expected to adhere to this schedule.