

## DOCKETED

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**VIA ELECTRONIC DOCKETING**

The Honorable Andrew McAllister, Presiding Member  
The Honorable Karen Douglas, Associate Member  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Hearing Adviser Susan Cochran  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

**Re: Huntington Beach Energy Project (12-AFC-02C)  
Status Report #8**

Dear Commissioners and Hearing Adviser Cochran:

Project Owner AES Huntington Beach Energy, LLC (“Project Owner” or “AES”) submits this Status Report for the Huntington Beach Energy Project (“HBEP”) Petition to Amend (“PTA”) proceeding pursuant to the Committee’s August 29, 2016 Amended Committee Scheduling Order (“Scheduling Order”). The following activities have occurred since filing the August 1, 2016 Status Report.

Over the past month, Project Owner has docketed various items that will further assist Staff in finalizing the Final Staff Assessment: CAISO Repowering Study Report (TN# 212678); August 3, 2016 Response to Draft Coastal Commission Comments (TN# 212753); Response to the City of Huntington Beach Comments on the PSA (TN# 212752); compilation of correspondence with the SCAQMD (TN# 212880); and Data Responses Set 1-R2 (Responses A4-A6, Air Quality) (TN# 212942). In addition, on August 19, 2016, Project Owner participated in the Committee’s Status Conference to discuss project status and schedule. On August 25, 2016, Project Owner followed up the Status Conference discussion regarding clutches in writing and docketed additional written comments regarding why clutches are not part of, and should not be considered during, the Amended HBEP PTA proceeding. (TN# 212948.) In addition to the foregoing, based on discussions with CEC Air Quality Staff, Project Owner anticipates docketing a revised response to Data Response A6 (revised cumulative air quality impact assessment) this week. Lastly, Project Owner anticipates docketing an additional response to the Coastal Commission Comments docketed on August 15, 2016 (TN#s 212797-1, 212797-2) within the next week.

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Lastly, Project Owner has reviewed the Committee's August 29, 2016 Amended Committee Scheduling Order. As previously explained in TN# 212311, Project Owner's concern with the project schedule remains the timing for FSA publication and PMPD publication. As stressed during the Status Conference, to remain on schedule, the Amended HBEP must receive a Final Decision in 2016. Therefore, since it remains unknown as to when the SCAQMD will issue the FDOC, Project Owner requests that the Schedule be further amended to require FSA publication by September 29 regardless of whether the FDOC is published by September 15.<sup>1</sup> This will ensure that if all other dates in the schedule are met, the project can be presented to the full Commission for a final decision by the end of the year. As noted in Project Owner's request for Status Conference (TN# 212525), Staff should be ordered to issue the FSA regardless of receipt of the FDOC to ensure that a decision on the PTA is made in 2016.<sup>2</sup> Project Owner will be providing a response to other issues raised in the Amended Scheduling Order in a forthcoming separate filing.

Project Owner looks forward to the Committee pursuing an aggressive schedule and looks forward to receipt of the FSA in September 2016.

Very truly yours,



Melissa A. Foster

MAF:jmw

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<sup>1</sup> Of course, if the FDOC is issued prior to September 15, Project Owner looks forward to Staff's publication of the FSA as quickly thereafter as possible, but no later than two weeks from the date of FDOC publication, as contemplated in the August 29 Amended Scheduling Order.

<sup>2</sup> Note that in the original AFC proceeding, the FSA was issued well before the FDOC was issued. Staff published the FSA on May 30, 2014. The SCAQMD issued the FDOC after 5pm on July 18, 2014 - the Friday before the start of evidentiary hearings on Monday, July 21, 2014 - and the FDOC was docketed by CEC Staff on Sunday, July 20, 2014. The FDOC was then entered into evidence at the evidentiary hearing, and the conditions of certification incorporated into the Presiding Member's Proposed Decision. If the FDOC is not published prior to the issuance of the FSA, an FSA addendum, if necessary, can be published after the issuance of the FDOC. Neither of these options require "bifurcation" of the proceedings.