

DOCKETED

Docket Number:	12-AFC-02C
Project Title:	Huntington Beach Energy Project - Compliance
TN #:	214361
Document Title:	Project Owner's Rebuttal Testimony and Revised Preliminary Exhibit List
Description:	Project Owner's Rebuttal Testimony and Revised Preliminary Exhibit List
Filer:	Kimberly Hellwig
Organization:	Stoel Rives LLP
Submitter Role:	Applicant
Submission Date:	11/3/2016 2:45:55 PM
Docketed Date:	11/3/2016

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

In the Matter of:

The Petition to Amend the

HUNTINGTON BEACH ENERGY PROJECT

Docket No. 12-AFC-02C

**AES HUNTINGTON BEACH ENERGY,
LLC'S REBUTTAL TESTIMONY AND
REVISED PRELIMINARY EXHIBIT LIST**

**AES HUNTINGTON BEACH ENERGY, LLC'S REBUTTAL TESTIMONY
AND REVISED PRELIMINARY EXHIBIT LIST**

November 3, 2016

Melissa A. Foster, Esq.
Kristen T. Castaños, Esq.
Stoel Rives LLP
500 Capitol Mall, Suite 1600
Sacramento, CA 95814
Phone: (916) 447-0700
Facsimile: (916) 447-4781

Attorneys for AES HUNTINGTON BEACH ENERGY, LLC

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

In the Matter of:

The Petition to Amend the

HUNTINGTON BEACH ENERGY PROJECT

Docket No. 12-AFC-02C

**AES HUNTINGTON BEACH ENERGY,
LLC’S REBUTTAL TESTIMONY AND
REVISED PRELIMINARY EXHIBIT LIST**

**AES HUNTINGTON BEACH ENERGY, LLC’S REBUTTAL TESTIMONY
AND REVISED PRELIMINARY EXHIBIT LIST**

Pursuant to the Committee’s Notice of Prehearing Conference and Evidentiary Hearing, Scheduling Order, and Further Orders, dated October 20, 2016 (“Hearing Order”), AES Huntington Beach Energy, LLC (“Project Owner”) herein provides rebuttal testimony and a revised preliminary exhibit list in support of the Huntington Beach Energy Project (“HBEP” or “Project”) Petition to Amend (“PTA”) proceedings (hereinafter referred to as the “Amended HBEP”). The information provided herein specifically focuses on the correction and clarification of items presented in Project Owner’s Opening Testimony, Preliminary Identification of Issues and Witness and Exhibit Lists, and Comments on the Final Staff Assessment, Part 1 (“Opening Testimony”).¹ These items are addressed in detail below.

¹ Project Owner herein incorporates by reference its Opening Testimony dated October 27, 2016. (TN# 214211.)

I. CORRECTION OF TYPOGRAPHICAL ERROR IN PROJECT OWNER'S OPENING TESTIMONY REGARDING PALEONTOLOGICAL RESOURCES

On page one of Exhibit I (Paleontological Resources) of Project Owner's Opening Testimony (TN# 214211), Project Owner noted a minor typographical error in the first sentence of the last paragraph that should be corrected as noted below in **bold underline** and ~~strikethrough~~.

Additionally, the current qualifications require that a proposed Paleontological Resource Specialist have the equivalent or combination of the following qualifications approved by the CPM: a Bachelor's Degree in geology ~~or~~ paleontology and one year of experience monitoring in California; or an AS or AA in geology, paleontology, or biology and four years' experience monitoring in California; or enrollment in upper division classes pursuing a degree in the fields of geology or paleontology and two years of monitoring experience in California.

Project Owner has no additional changes to the Opening Testimony.

II. PROJECT OWNER'S IDENTIFICATION OF GENERAL WITNESS

Project Owner's consultant, Jerry Salamy, a Project Manager for CH2M Hill, Inc., has been extensively involved in the entirety of the HBEP proceeding. Mr. Salamy's declaration, filed on October 26, 2016, identified specific topic areas to which he could testify if called as a witness. (*See* TN# 214192.) Due to Mr. Salamy's extensive knowledge of the Amended HBEP, Project Owner reserves the right to identify Mr. Salamy in Project Owner's forthcoming Prehearing Conference Statement as a witness who can generally support all subject areas during the Amended HBEP evidentiary hearing.

III. REVISED PRELIMINARY EXHIBIT LIST

Attached hereto is Project Owner's Revised Preliminary Exhibit List. This revised version includes the transaction numbers for items docketed since the filing of Project Owner's

Opening Testimony, and provides a revised TN# for the Declaration of Lisa Valdez.² As directed in the Hearing Order, Project Owner will present a final Exhibit List with its Prehearing Conference Statement on or before November 9, 2016.

IV. CONCLUSION

Project Owner is confident that the Amended HBEP PTA proceeding is ready for evidentiary hearings on Part 1 of the FSA. Project Owner looks forward to the conclusion of the hearings and a favorable decision by the Commission approving these critical modifications to the Licensed HBEP.

Date: November 3, 2016

STOEL RIVES LLP



Melissa A. Foster
Kristen T. Castaños

Attorneys for Project Owner
AES HUNTINGTON BEACH ENERGY, LLC

² Due to technological issues, the CEC Docket Unit re-docketed the Declaration of Lisa Valdez in Support of Project Owner's Opening Testimony (*See* TN# 214210, which supersedes TN# 214179.)

In the Matter of:

**The Petition to Amend the
HUNTINGTON BEACH ENERGY PROJECT**

Docket No. 12-AFC-02C

**PROJECT OWNER'S
REVISED PRELIMINARY EXHIBIT
LIST**

No.	TN #	DOCUMENT TITLE (AS DOCKETED)	SUBJECT AREA
5001	206087	Petition to Amend With Appendices Docketed 9/9/2015	All Topics
5002	206442	Project Owner's Proposed Schedule and Request for Scheduling Order Docketed 10/27/2015	General
5003	206806	Project Owner's Response to Staff's Issues Identification Report, Proposed Schedule, and Request for Committee Scheduling Order Docketed 12/1/2015	General
5004	206807	Objections to Certain Data Responses Contained in CEC Staff's Data Requests Set One (#A1-A74) Docketed 12/1/2015	General Visual Resources Cultural Resources
5005	206858	Data Responses, Set 1 (Responses to Data Requests 1-74) Docketed 12/7/2015	Traffic & Transportation Visual Resources Project Description Cultural Resources Socioeconomics Transmission System Engineering
5006	206859	AES Southland Development LLC's Repeated Application for Confidential Designation and for Response to Data Request Docketed 12/7/2015	General Cultural Resources
5007	207211	Confidential Response to Staff's Data Requests, Set One Docketed 12/7/2015	General Cultural Resources

No.	TN #	DOCUMENT TITLE (AS DOCKETED)	SUBJECT AREA
5008	206916	Project Owner's Handout for Huntington Beach Energy Project Site Visit 12-08-2015 Docketed 12/10/2015	General
5009	206917	Presentation - Environmental Scoping Meeting and Informational Hearing by AES Southland Development, LLC Docketed 12/10/2015	General
5010	206935	AES Southland Development, LLC's Application for Designation of Confidential Cultural Resources Records Docketed 12/11/2015	General Cultural Resources
5011	207209	AES Southland Development, LLC's Confidential Cultural Resources Records Docketed 12/11/2015	General Cultural Resources
5012	207011	Project Owner's Follow-Up to Data Request Workshop 12.14.15 Docketed 12/14/2015	General Visual Resources Socioeconomics
5013	207017	Response Letter to the 10/26/15 Request for Water Supply Assessment Docketed 12/15/2015	Water Resources
5014	210109	Project Owner's Status Report #1; Response to Committee Scheduling Order Docketed 2/1/2016	General
5015	210262	Project Owner's Response to City of Huntington Beach Comments on PTA Docketed 2/10/2016	General Compliance Conditions Traffic & Transportation Visual Resources
5016	210567	Project Owner's Status Report #2 Docketed 3/1/2016	General
5017	210763	Conceptual Design Plan - Status Update Docketed 3/16/2016	Visual Resources
5018	210923	Project Owner's Status Report #3 Docketed 4/1/2016	General

No.	TN #	DOCUMENT TITLE (AS DOCKETED)	SUBJECT AREA
5019	210984	AES Huntington Beach Energy, LLC's Petition to Change Ownership Docketed 4/8/2016	General
5020	211139	CAISO Section 25 Affidavit Docketed 4/19/2016	Transmission System Engineering
5021	211292	Status Report #4 Docketed 4/29/2016	General
5022	211411	Letter Regarding Response to Conservancy Docketed 5/9/2016	General Biological Resources Noise & Vibration Traffic & Transportation Land Use Water Resources
5023	211690	Project Owner's Status Report #5 Docketed 6/1/2016	General
5024	211756	Applicant's Supplement to Status Report No. 5 Docketed 6/8/2016	General
5025	211856	Order Approving Transfer of Ownership Docketed 6/17/2016	General
5026	212044	Project Owner's Status Report #6 Docketed 6/30/2016	General
5027	212311	Project Owner's Response to the Committee's Amended Scheduling Order Docketed 7/15/2016	General

No.	TN #	DOCUMENT TITLE (AS DOCKETED)	SUBJECT AREA
5028	212379	Project Owner's Comments on the Preliminary Staff Assessment Docketed 7/21/2016	General Project Description Biological Resources Cultural Resources Land Use Soil & Water Resources Traffic & Transportation Transmission Line Safety & Nuisance Visual Resources Waste Management Geology & Paleontology Transmission System Engineering Alternatives Compliance Conditions
5029	212380	City of Huntington Beach RESOLUTION NO 2016-27 Docketed 7/21/2016	Land Use Visual Resources
5030	212525	Status Report #7; Request for Status Conference Docketed 8/1/2016	General
5031	212678	Huntington Beach California ISO Repowering Study Report Docketed 8/8/2016	Transmission System Engineering
5032	212752	Response to City of Huntington Beach Comments on the PSA Docketed 8/11/2016	General Traffic & Transportation Compliance Conditions Worker Health & Safety
5033	212753	AES Huntington Beach Energy LLC Response to CCC Draft Report Docketed 8/11/2016	General
5034	212948	Project Owner's Follow-Up to Status Conference - Additional PSA Comments (Alternatives - Clutches) Docketed 8/25/2016	Alternatives

No.	TN #	DOCUMENT TITLE (AS DOCKETED)	SUBJECT AREA
5035	213457	AES Status Report #8 Docketed 9/1/2016	General
5036	213478	Project Owner's Additional Response to Coastal Commission Comments Docketed 9/2/2016	Traffic & Transportation Biological Resources Land Use Noise
5037	213492	Response to August 29, 2016 Amended Committee Scheduling Order [Clutches] Docketed 9/6/2016	General Alternatives
5038	213812	Project Owner's Motion for Order to Publish Final Staff Assessment Docketed 9/27/2016	General
5039	213865	Project Owner's Status Report #9 Docketed 9/30/2016	General
5040	213999	Project Owner's Request for Evidentiary Hearing Date and Related Deadlines Docketed 10/13/2016	General
5041	214181	Declaration of Mark Bastasch in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Noise & Vibration
5042	214183	Declaration of Melissa Fowler in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Biological Resources
5043	214186	Declaration of Thomas Priestley in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Visual Resources
5044	214210	Declaration of Lisa Valdez in Support of Project Owner's Opening Testimony Docketed (originally docketed 10/26/2016; re-docketed by the Docket Unit on 10/26/2016 due to technical issues) <i>TN# 214210 supersedes TN# 214179.</i>	Traffic & Transportation
5045	214185	Declaration of Thomas A. Lae in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Geologic Hazards & Resources

No.	TN #	DOCUMENT TITLE (AS DOCKETED)	SUBJECT AREA
5046	214182	Declaration of Matt Franck in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Water Resources
5047	214180	Declaration of Jennifer Krenz-Ruark in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Soils
5048	214177	Declaration of Fatuma Yusuf, Ph.D. in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Socioeconomics
5049	214184	Declaration of Natalie Lawson in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Cultural Resources
5050	214178	Declaration of James Verhoff in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Paleontological Resources
5051	214187	Declaration of Robert Sims in Support of Project Owner's Opening Testimony Docketed 10/26/2016	Transmission Line Safety & Nuisance Transmission System Engineering
5052	214192	Declaration of Jerry Salamy Docketed 10/26/2016	Project Description Executive Summary Geology Waste Management
5053	214193	Declaration of Stephen O'Kane Docketed 10/26/2016	All Topics
5054	214194	Declaration of Seth Richardson Docketed 10/26/2016	Land Use
5055	214211	Project Owner's Opening Testimony Docketed 10/27/2016	All Topics
5056	TBD	Project Owner's Rebuttal Testimony Docketed 11/03/2016	All Topics