

DOCKETED

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BEFORE THE
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

Petition to Amend the)
)
HUNTINGTON BEACH ENERGY) Docket No. 12-AFC-02C
PROJECT)

CONTINUANCE OF DECEMBER 21, 2016

COMMITTEE CLOSED SESSION FOLLOWING EVIDENTIARY HEARING

CALIFORNIA ENERGY COMMISSION
ART ROSENFELD HEARING ROOM (HEARING ROOM A)
1516 9TH STREET
SACRAMENTO, CALIFORNIA

MONDAY, JANUARY 9, 2017

10:06 A.M.

Reported by:

Susan Palmer

APPEARANCES

COMMISSIONERS (AND THEIR ADVISORS) PRESENT:

Commissioner Andrew McAllister, Presiding Member

Bryan Early, Advisor

Commissioner Karen Douglas, Associate Member

Le-Quyen Nguyen, Advisor

Jennifer Nelson, Advisor

Kristy Chew, Technical Advisor on Siting

HEARING OFFICER:

Susan Cochran

CEC STAFF PRESENT:

Jared Babula, Staff Counsel

Michelle Chester, Staff Counsel

John Heiser, Project Manager, Siting

PROJECT OWNER:

Melissa Foster, Esq., Stoel Rives (Via Telephone)

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1 JANUARY 9, 2017

10:06 A.M.

2 COMMISSIONER MCALLISTER: Okay, we are in session.
3 this is the continued closed session for the Huntington Beach
4 Energy Project Amendments. This closed session was continued
5 from the prehearing conference that we had -- the prehearing
6 conference/evidentiary hearing we had on December 21st, last
7 year.

8 In continuing this closed session, we advised folks
9 not to travel to Sacramento today, as the public portion of
10 the meeting would be very brief.

11 Before we begin, I want to introduce the Committee
12 and then ask that the parties identify themselves for the
13 record, before we go to comment.

14 I'm Andrew McAllister, Commissioner here, at the
15 Energy Commission, Presiding Member on this amendment.

16 Karen Douglas is also a Commissioner and the
17 Associate Member.

18 My Advisor is here, as well, Bryan Early. And
19 Commissioner Douglas' Advisors Jennifer Nelson and Le-Quyen
20 Nguyen are here, as well.

21 Kristy Chew, the hearing advisory -- the Technical
22 Advisor, sorry, to the Commission on Siting Matters, is here.

23 Alana Mathews, the Public Adviser, is not actually
24 present.

25 And at this point I'll -- well, Susan Cochran is

1 obviously the Hearing Officer, as you all know. And at this
2 point, if there's anybody, any parties in the room, we'll ask
3 them to identify themselves and then go to the phone.

4 MR. BABULA: Jared Babula, Staff Counsel.

5 MS. CHESTER: Michelle Chester, Staff Counsel.

6 MR. HEISER: John Heiser, Project Manager in Siting.

7 COMMISSIONER MCALLISTER: Okay. Are there any
8 elected officials on the phone? And I'll just go through
9 various categories here just to order things.

10 HEARING OFFICER COCHRAN: Commissioner McAllister,
11 you might want to see if any of the other parties are on the
12 phone.

13 COMMISSIONER MCALLISTER: Oh, right, let me see if
14 there are other parties. Is anybody --

15 MS. FOSTER: This is Melissa Foster, with Stoel
16 Rives, for the Project Owner, on the phone.

17 COMMISSIONER MCALLISTER: Great. Anybody else for
18 the owner?

19 MS. FOSTER: No.

20 COMMISSIONER MCALLISTER: Okay. Are any other
21 parties -- is the City of Huntington Beach on the --

22 HEARING OFFICER COCHRAN: The City of Huntington
23 Beach is not a party.

24 COMMISSIONER MCALLISTER: They're not a party, but
25 I'm wondering if --

1 HEARING OFFICER COCHRAN: But Mr. Simpson is a party.
2 I don't know if Mr. Simpson is on the phone? He doesn't
3 appear to be. It looks as though call-in user two was Ms.
4 Foster.

5 COMMISSIONER MCALLISTER: Is that fair, Mr. Simpson
6 is not on the phone, Helping Hands?

7 Okay, any -- well, is the City of Huntington Beach on
8 the phone? It sounds like not.

9 Any agencies of the Federal Government or the State
10 of California? That included the Air District, well, the
11 Regional. And any Native American Tribes? The Air District?
12 Anyone else?

13 Okay, so I think we'll just open it up for public
14 comment. We're at that time, in case anyone wants to make a
15 public comment? It doesn't look like there is in the room.

16 And anyone on the phone want to make a public
17 comment?

18 HEARING OFFICER COCHRAN: Did Melissa Foster mute
19 herself?

20 UNIDENTIFIED STAFF: No, she's unmuted.

21 MS. FOSTER: This is Melissa Foster. I'm counsel for
22 the Project Owner. We have no public comment.

23 HEARING OFFICER COCHRAN: Okay, very good.

24 MS. FOSTER: Or additional comment.

25 COMMISSIONER MCALLISTER: Oh, okay.

1 HEARING OFFICER COCHRAN: Thank you.

2 COMMISSIONER MCALLISTER: So, it looks like there's
3 only one other person on the --

4 HEARING OFFICER COCHRAN: I have no idea who that is.

5 COMMISSIONER MCALLISTER: Okay. So, with that, going
6 twice, then we are moving on to the closed session. The
7 Committee will now adjourn to closed session. And I presume
8 pursuant to Government Code Section 11126(c)(3), which allows
9 a State body, including a delegated Committee, to have a
10 closed session to deliberate on a decision to be reached in a
11 proceeding the State body was required by law to conduct.

12 So, with that, I think we're --

13 HEARING OFFICER COCHRAN: You don't need to stick
14 around. I doubt that there will be any reportable action and
15 we'll dismiss the court reporter.

16 MR. BABULA: Yeah, staff wasn't planning on coming
17 back, so we'll leave and that's it.

18 COMMISSIONER MCALLISTER: Okay, great.

19 MR. BABULA: Unless you wish us to come back.

20 HEARING OFFICER COCHRAN: I'll send a smoke signal.

21 COMMISSIONER MCALLISTER: Yeah, there's no need for
22 parties to continue to pay attention here. We don't expect
23 reportable items to come out of this. So, you are free to
24 go. Thanks very much.

25 MS. FOSTER: Thank you.

1 (Whereupon, the Committee adjourned into
2 Closed Session at 10:11 a.m.)

3 (Whereupon at 12:02 p.m., HEARING OFFICER COCHRAN returned
4 from closed session and made the following announcement)

5 HEARING OFFICER COCHRAN: This is Susan Cochran on the
6 Huntington Beach continued closed session. The Committee has
7 returned from closed session and will be continuing this
8 closed session once again. This time the continued date is
9 January 25th at 3:00 p.m., here in Sacramento. Notice of the
10 continuance will be posted and filed in the docket. With
11 that, this meeting is continued to January 25th at 3:00 p.m.

12 --oOo--

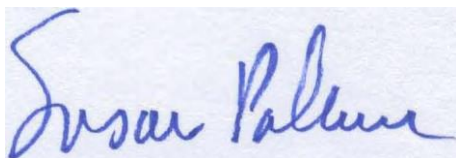
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REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of March, 2017.



Susan Palmer


Certified Reporter CERT 00124

TRANSCRIBER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of March, 2017.



Barbara Little
Certified Transcriber
AAERT No. CET**D-520