

DOCKETED

Docket Number:	12-AFC-02C
Project Title:	Huntington Beach Energy Project - Compliance
TN #:	216728
Document Title:	Transcript of 08/19/2016 Status Conference
Description:	N/A
Filer:	Cody Goldthrite
Organization:	California Energy Commission
Submitter Role:	Committee
Submission Date:	3/28/2017 9:41:58 AM
Docketed Date:	3/28/2017

CALIFORNIA ENERGY COMMISSION

Petition to Amend:)
) Docket 12-AFC-02C
HUNTINGTON BEACH ENERGY PROJECT)
-----)

STATUS CONFERENCE

CALIFORNIA ENERGY COMMISSION
CHARLES IMBRECHT HEARING ROOM
1516 NINTH STREET
SACRAMENTO, CALIFORNIA

FRIDAY, AUGUST 19, 2016
11:00 A.M.

Reported by
Peter Petty

APPEARANCES

COMMISSIONERS

Andrew McAllister, Presiding Member

Karen Douglas, Associate Member

ADVISERS

Pat Saxton, for Commissioner McAllister

Le-Quyen Nguyen, for Commissioner Douglas

Jennifer Nelson, for Commissioner Douglas

Kristy Chew, Adviser to Committee

HEARING OFFICER

Susan Cochran

CEC STAFF

Kevin Bell, Staff Counsel

John Heiser, Project Manager

Timothy Singer

Matt Layton, Engineering Office Manager

Eric Knight, Environmental Office Manager

PETITIONER

Melissa A. Foster, Esq., Stoel Rives

Stephen O'Kane, AES Southland Development LLC

Jerry Salamy, CH2M Hill

Robert Mason, CH2M Hill

APPEARANCES (Continued)

INTERVENORS

None present

ALSO PRESENT

Andrew Lee, Southern California Air Quality
Management District

Dan Rocole, Keiwit Corporation

PUBLIC

None present

INDEX

	<u>PAGE</u>
Call to Order	1
Case progress and schedule	6
Public Comment	--
Adjourn	52
Reporter certificate	53
Transcriber certificate	54

1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

AUGUST 19, 2016 11:06 A.M.

COMMISSIONER MCALLISTER: Let's get started. So here we are at the status conference for the Huntington Beach Energy Project Amendment. Thanks everybody for coming.

Let's see. So the Commission has assigned a committee, obviously, of two commissioners to conduct these proceedings. I'm Andy McAllister, the Presiding Member. Commissioner Karen Douglas, the associate member, is unable to be with us today, so in her stead her advisers, Jenny and LeQueyen.

On my left is Ms. Cochran, the Hearing Officer. She'll mostly run the proceedings today.

Let's see. Kristy Chew on LeQuyen's right is our technical adviser to the Commission on siting matters.

To Susan's left, Bryan Early, my adviser. And to his left is Pat Saxton, my other adviser.

So let's go around and have the parties introduce themselves quickly, starting with the applicant.

MR. MASON: Robert Mason, CH2M Hill, with the applicant.

MS. FOSTER: Melissa Foster with Stoel

1 Rives, counsel to the project owner. And Stephen
2 O'Kane with AES is on the telephone.

3 Stephen, can you hear us okay?

4 MR. O'KANE: (inaudible) Yes. Hi. Stephen
5 O'Kane from AES is here. I'll probably be asking
6 clarifying questions as it'll be hard to hear unless
7 you're speaking directly into the microphone. Thank
8 you.

9 COMMISSIONER MCALLISTER: Okay, great. Can
10 you hear me as I talk?

11 MR. O'KANE: Yes. Thanks, Commissioner, I
12 can hear you perfectly.

13 COMMISSIONER MCALLISTER: Okay, great.

14 MR. SALAMY: Jerry Salamy, CH2M Hill,
15 consultant to the applicant.

16 MR. BELL: Kevin Bell, Senior Staff Counsel
17 on behalf of staff. With me here is John Heiser,
18 Project Manager. And we also have other staff
19 present. We have Officer Managers Matt Layton and
20 Eric Knight.

21 COMMISSIONER MCALLISTER: Is there anybody
22 else on the phone?

23 (Inaudible)

24 THE REPORTER: I didn't get any of that.

25 MR. ROCOLE: Two parties on the phone, Dan

1 Rocolle, Project Manager, Kiewit, Kein Blunt and
2 Bryant Garden.

3 MR. LEE: This is South Coast Air Quality
4 Management District.

5 COMMISSIONER MCALLISTER: And who is
6 representing South Coast?

7 MR. LEE: This is Andrew Lee, Bhaskar
8 Chandan, and Chris Perri.

9 HEARING OFFICER COCHRAN: Could you spell
10 the last two names for us, please?

11 MR. LEE: Chandan is C-H-A-N-D-A-N and
12 Perri is P-E-R-R-I.

13 HEARING OFFICER COCHRAN: Thank you.

14 MR. LEE: You're welcome.

15 COMMISSIONER MCALLISTER: So prior to South
16 Coast I think we still haven't heard exactly who
17 that is.

18 MR. SINGER: Keiwit.

19 COMMISSIONER MCALLISTER: Who is it?

20 MR. SINGER: Keiwit. I believe,
21 Commissioner, you're asking about the Keiwit
22 constructors who introduced themselves.

23 COMMISSIONER MCALLISTER: Oh, here we go.
24 So we see you actually on the phone now. So who is
25 representing Kiewit?

1 MR. ROCOLE: Dan Rocolé.

2 COMMISSIONER MCALLISTER: Could you spell,
3 if that's Dan, D-A-N? Could you spell your last
4 name?

5 MR. ROCOLE: Yes, sir. R-O-C-O-L-E.

6 COMMISSIONER MCALLISTER: Okay, great.
7 Anybody else on the phone?

8 Okay, let's move on. Let's see. Those are
9 the public agencies, I think we've heard from
10 everyone.

11 Are there any -- there aren't any Native
12 American tribes or nations on the phone, definitely
13 not in the room.

14 And no elected officials, I take it. Or
15 cities. Is Huntington Beach on the phone? Okay.
16 Sounds like not.

17 Okay. Great. So I'm going to hand it over
18 to Susan to continue with the proceedings, and
19 thanks very much for being here.

20 HEARING OFFICER COCHRAN: Thank you. And
21 good morning.

22 Again I want to remind you that in this
23 hearing room we can only have four microphones on at
24 a time. You'll know your mike is on when the red
25 light is lit.

1 I was told that the microphones broadcast
2 no matter how far away from them you are, but
3 apparently that's not true. So if you hear it
4 amplified in the room it will be loud enough to be
5 broadcasting over the airwaves.

6 This status conference is being held to
7 discuss the schedule of the proceedings and to share
8 the Committee's comments on the preliminary staff
9 assessment that I'm probably going to call the PSA
10 from here on out.

11 These proceedings are based on the Petition
12 to Amend filed by AES Southland LLC. Since the
13 filing of the Petition to Amend, AES Southland LLC
14 petitioned to change ownership to AES Huntington
15 Beach Energy LLC. The Energy Commission granted that
16 request, but for ease I'm going to refer to AES
17 Huntington Beach Energy LLC as AES for the
18 petitioner.

19 AES is seeking permission to amend the
20 previous license granted in October 2014 for the
21 Huntington Beach Energy Project. The petition
22 proposes to reduce the nominal generation capacity
23 of the project from 939 megawatts to 844 megawatts,
24 with 644 megawatts generated from combined cycle
25 technology and 200 megawatts from simple cycle

1 technologies. And I'm going to call that the amended
2 project.

3 The project site is located in the city of
4 Huntington Beach just north of the Pacific Coast
5 Highway and Newland Street. The project would be
6 located entirely within the footprint of the
7 existing AES Huntington Beach generating station and
8 operating power plant.

9 I think the first topic I'd like to talk
10 about is the schedule, and we may have to come back
11 and revisit that after I share the committee's
12 initial responses to the preliminary staff
13 assessment, PSA.

14 First, on July 28, 2016, the committee
15 filed an Amendment Scheduling Order. The schedule
16 indicated that the South Coast Air Quality
17 Management District was scheduled to issue a Final
18 Determination of Compliance on August 8, 2016.

19 I know in its last status report the Air
20 District indicated that the Final Determination of
21 Compliance, or FDOC, would be filed sometime in
22 August.

23 Mr. Lee, do you have any indication or
24 timing on when we might expect to see the FDOC?

25 MR. LEE: Based upon the amount of comments

1 that we received, at this particular time we're
2 still reviewing and there's a strong possibility
3 that we would have to amend one particular piece of
4 our analysis before the FDOC is issued, so at this
5 particular time I can't give you a very good
6 indication of when that will be completed.

7 HEARING OFFICER COCHRAN: Okay. Thank you
8 very much, and we appreciate your participating
9 today to give us that information and your timely
10 filings of status reports. That helps the committee
11 a great deal.

12 According to the July 28th schedule, the
13 final staff assessment is due August 22nd, or
14 Monday. The August 22nd date was based on comments
15 from staff at the last status conference that it
16 would take two weeks to write the FSA after receipt
17 of the FDOC from the Air District.

18 I'm going to look at staff at this point
19 because I know that in recent filings by staff
20 you've now indicated that instead of two weeks
21 you're going to require 30 days to produce an FSA
22 following receipt of the FDOC. Is that on track;
23 what are we looking at?

24 MR. HEISER: That is correct, we're still
25 recommending or requesting the 30 days after

1 publication of the FDOC.

2 This is John Heiser, Project Manager from
3 the Energy Commission.

4 It's based on staff allocation resources
5 and staff will need to take a look at the FDOC to
6 update the information in the FSA and get the
7 requirements or the information in the FDOC, which
8 takes time.

9 HEARING OFFICER COCHRAN: Okay.

10 Applicant.

11 MS. FOSTER: Thank you. Stephen, if you're
12 there as well. I think we would like to have a
13 broader discussion about the schedule generally and
14 what AES needs to meet timing wise before we can
15 provide specific comments on the FSA timing.

16 But I will lead off by saying it is the
17 project owners position that we think that staff can
18 issue the FSA with the CEC's air quality and public
19 health analysis included, even without the FDOC.
20 They did it in the underlining C proceeding and the
21 FDOC was issued Friday night before evidentiary
22 hearings on Monday, some six weeks after the FSA was
23 published.

24 So we would really like to see the FSA. It
25 sounds like it's not coming on Monday, but as soon

1 as practical from staff regardless of the timing of
2 the FDOC so we can move in to the evidentiary
3 hearing phase and toward a final decision by
4 whomever.

5 I'll turn it over to Stephen now to speak a
6 little bit toward schedule.

7 MR. O'KANE: Okay. Thank you. Am I coming
8 through loud and clear?

9 HEARING OFFICER COCHRAN: Yes.

10 MS. FOSTER: Yes.

11 MR. O'KANE: Well, just have to reiterate
12 to the committee, which we have done numerous times
13 at previous status conferences. We've been very
14 transparent and open about the schedule (inaudible)
15 what we'll need to meet (inaudible)reliability -
16 functional reliability in summer of 2020.

17 So, we'll need the November or December
18 decision by the CEC to maintain schedule but
19 mobilize and meet our construction milestone dates.

20 I'd also like to remind the committee we
21 are approaching one year in the Petition to Amend
22 process. This amendment was filed September of 2015,
23 now we're approaching one year on the amendment for
24 combined cycle plants at the site of the power
25 plant.

1 So I'm afraid, with all due respect to
2 staff, I just cannot accept that they need an
3 additional 30 days going forward to finish up their
4 FSA and urge this committee to set a schedule so we
5 can reach a decision by the end of the year.

6 HEARING OFFICER COCHRAN: Mr. Lee, I'm
7 going to put you back on the hot seat for just a
8 minute. Can you give me a sense of the issue that
9 you say may require amended analysis and how long it
10 may take?

11 MR. LEE: Yes. There was a comment made by
12 Helping Hand Tools which basically said that our
13 (inaudible) analysis for one of the contaminants was
14 not founded and therefore would be (inaudible)
15 technical research and some coordination with the
16 other Air District in California that has that
17 particular piece of equipment with those types of
18 (inaudible) analysis.

19 So we're trying to do some verification
20 before we go forward amend or basically change the
21 PDOC to the FDOC with the new findings that we
22 receive, so it is taking some time to do that.

23 And in addition, I just wanted to add that
24 there was -- Mr. O'Kane is correct that the
25 applications were submitted well over a year ago,

1 but I'd like to remind the Commission that there was
2 a change in March of this year to where we had to
3 make adjustments as well because of those changes.

4 So that is my statement.

5 HEARING OFFICER COCHRAN: Okay, Thank you
6 Mr. Lee.

7 Staff, now it's your turn on the hot seat.
8 If the committee were interested in bifurcating, as
9 suggested by Mr. O'Kane, to let the air quality and
10 public health sections trail from the rest of the
11 FSA, how long would it take to produce that Part 1
12 of the FSA as we sit here today, could start today?

13 MS. FOSTER: Can I -- sorry to jump in and
14 interrupt. I just want to clarify the AES' position
15 is that staff could actually issue the complete FSA
16 with air quality and public health, and then amend
17 or issue an errata depending on what comes out with
18 the FDOC, if necessary. But I just wanted to make
19 that clarifying point.

20 HEARING OFFICER COCHRAN: Mr. Layton.

21 MR. LAYTON: Good morning, Hearing Officer.
22 This is Matt Layton.

23 What I hope we could do is also ask AES if
24 they want Alamitos or Huntington Beach to proceed. I
25 think that is a more relevant question.

1 And I appreciate Mr. O'Kane's and Ms.
2 Foster's direction to staff. I guess we could go
3 ahead and produce a FSA. I guess we recommend denial
4 on air quality because we do have some concerns. The
5 District has been very cautious and thoughtful, and
6 so we're reluctant to say that we understand exactly
7 what the District's going to issue in the way of
8 their LORS compliance given the changes that keep
9 happening.

10 And again, Mr. O'Kane had emphasized that
11 back in March -- or excuse me, maybe not that long
12 ago, that it was a trivial change even though the
13 District had to remodel everything.

14 I'm just very frustrated. We are trying to
15 produce this. We can produce it. I think the
16 bifurcation wastes time and exacerbates the
17 schedule.

18 COMMISSIONER MCALLISTER: So just to clear,
19 you would recommend seeing, basically getting it
20 ready and set to go on that as much as possible and
21 all the different issues, and then when the FDOC
22 comes out kind of get to the finish line altogether
23 and no bifurcation.

24 MR. LAYTON: I guess I would ask AES again
25 if they want Alamitos or Huntington to proceed. They

1 would like both of them to be done by December of
2 this year, I understand that. Staff is working
3 toward that.

4 We would appreciate any assistance that AES
5 can provide. Doesn't all seem to be forthcoming. If
6 they could give us direction which is to proceed,
7 then we will step up and work on that particular
8 project. Obviously this is the Huntington Beach
9 status conference, not the Alamitos, but they're
10 linked.

11 If the District can also again understand
12 that direction, because I think currently the
13 District is working on Huntington Beach and then
14 Alamitos. I'll let the District speak to that, but
15 if that's the sequence that AES wants or doesn't
16 want, they need to speak up.

17 But I think the bifurcation would take
18 staff time and additionally exacerbate the schedule.
19 It would spill over into the hearings and I think
20 then the committee would suffer the consequences of
21 a bifurcation.

22 HEARING OFFICER COCHRAN: Okay, let's stop
23 the schedule discussion for just a minute so that I
24 can share with you the thoughts that the committee
25 has on the PSA that may also then impact the timing

1 for the FSA.

2 And the first sort of overarching comment I
3 have relates to the Plains tank site, and in several
4 of the sections it refers to application of the
5 conditions of certification from the October 2014
6 decision as applying to work to be done on the
7 Plains tank site.

8 It was my understanding that there's an
9 existing permit for the Plains tank site that would
10 control the development of that parcel.

11 And I want to make sure that I'm still
12 understanding how all of these pieces fit together
13 because it's not clear to me in the PSA. I don't
14 need an answer today, but as we're moving forward.

15 I know that the applicant was quite clear
16 that they don't control that parcel, it's owned by
17 someone else, and it has its preexisting permit. So
18 if someone can answer, they may, but I'm not
19 expecting an answer today.

20 And I know for sure that this was discussed
21 in both the conditions related to bio and to
22 cultural resources, and I see Mr. Knight.

23 MR. KNIGHT: I think I can answer the
24 question.

25 HEARING OFFICER COCHRAN: Come on down. The

1 price is right.

2 MR. KNIGHT: Eric Knight, Environmental
3 Office Manager.

4 I think what we mean the conditions apply
5 to the use of that site during construction of the
6 project, they're proposing to use that for lay-down
7 and construction worker parking. So the conditions
8 don't apply to the future development of that site
9 if that occurs, but the conditions apply while AES
10 is using it for construction of the HVAC project.

11 HEARING OFFICER COCHRAN: And does that
12 also then apply to the demo of that site?

13 MR. KNIGHT: I would say no.

14 MR. SINGER: The LCP pertains to the
15 demolition of the tank site.

16 HEARING OFFICER COCHRAN: I'm sorry, if you
17 could come up to the microphone and please identify
18 yourself. Mystery guest.

19 MR. SINGER: Tim Singer, staff analyst for
20 biological resources. I have the LCP right here, and
21 the LCP pertains. The LCP was granted to Plains All-
22 American and it pertains to demolition of the onsite
23 tanks as well as removal of ancillary pipelines and
24 I believe grading the site.

25 So anything beyond that, the conditions

1 would apply to.

2 HEARING OFFICER COCHRAN: Okay. So I think
3 that that needs to be clarified, then, in the
4 analysis contained in the FSA as you have worded it,
5 that was very unclear.

6 MR. SINGER: I can't speak for those
7 sections, but biological resources section has
8 clarified that.

9 HEARING OFFICER COCHRAN: Okay. Very good.
10 So the next comment I have, then, is a very
11 specific picky one, which you expect from me.

12 On page 4.1-143 in the air quality
13 appendix, we need to update to reflect the new
14 renewable portfolio standard from SB350, which is 50
15 percent not 33 percent. It still references the 33
16 percent.

17 Turning now to bio resources.

18 MR. BELL: I'm sorry.

19 HEARING OFFICER COCHRAN: Go ahead.

20 MR. BELL: Could we have that page cite
21 again?

22 HEARING OFFICER COCHRAN: 4.1-143.

23 MR. BELL: Thank you.

24 HEARING OFFICER COCHRAN: That was where I
25 saw it, there may be others. I usually do a global

1 search and replace for stuff like that.

2 Biological resources brings up another
3 topic, and that's the Coastal Commission report that
4 we've received. And I know that the conclusion in
5 the bio resources section of the PSA was that no
6 further supplementation was required. In light of
7 the Coastal Commission report, are we still holding
8 to that?

9 I know that the Coastal Commission believes
10 that are noise and vibration impacts and that the
11 visual enhancement, which is the spheres on the
12 cables, may result in predator roosts that could
13 affect the nearby sanctuary.

14 Mr. Bell.

15 MR. BELL: Their conclusions that staff
16 reached in the PSA are consistent with the
17 conclusions that staff reached in the underlying
18 licensing case as well.

19 The Coastal Commission's report, that
20 they've erroneously labeled as a 30413(d) report,
21 doesn't change any of that. Much of what the Coastal
22 Commission has submitted, without getting into all
23 of the report, I can say much of what they've
24 submitted has already been addressed in the
25 underlying proceeding and there's no further action

1 required by staff or by the Commission to address
2 any of those concerns because all of the potential
3 adverse environmental impacts that were raised in
4 the underlying proceeding were already taken care of
5 through our conditions of certification or didn't
6 rise to the level of creating any sort of impact or
7 any sort of LORS non-compliance.

8 HEARING OFFICER COCHRAN: I know that
9 during the last proceedings we got the Coastal
10 Commission report and I'm not going to wade into the
11 morass of 30413(d) or not. Though we also talked
12 about the Memorandum of Agreement between the
13 Coastal Commission and this agency as also affecting
14 the way in which we discuss and analyze that.

15 And so I think the committee will be
16 looking for an analysis of the proposed mitigation
17 measures from the Coastal Commission report so that,
18 regardless of whether we denominate it 30413(d) or
19 however --

20 MR. BELL: Subsection.

21 HEARING OFFICER COCHRAN: -- Yeah. We need
22 to address some of their concerns.

23 MR. BELL: We'll be addressing their
24 concerns -- or their comments that they filed in the
25 FSA.

1 HEARING OFFICER COCHRAN: Okay.

2 MR. BELL: And the issue, I expect we'll
3 brief it as well --

4 HEARING OFFICER COCHRAN: Okay.

5 MR. BELL: -- before we get to hearing,
6 just so the committee and everyone else has an idea
7 exactly where we need to be on that report.

8 HEARING OFFICER COCHRAN: Okay. That would
9 be very helpful and we'll expect both parties to
10 weigh in on that.

11 MS. FOSTER: Yes. AES provided a comment
12 letter to the Coastal Commission when the draft
13 report came out. We've docketed that, and we will be
14 providing additional response into the docket for
15 this proceeding as well.

16 HEARING OFFICER COCHRAN: Okay. Thank you
17 very much.

18 Turning now to traffic and transportation.
19 I did not see much evidence regarding the impacts of
20 using the pedestrian walkway access if permitted by
21 the Conservancy.

22 I also note that the PSA says that if it's
23 not -- if the use is not permitted by the
24 Conservancy, that it's covered by the existing
25 conditions. That is discussed in the project

1 description but there's not a lot of analysis of
2 that in the traffic and transportation section, so
3 maybe if you could circle back and look at that,
4 that would be helpful.

5 Also, and looking at the applicant now,
6 what is the status of discussions on using that
7 existing bridge?

8 MR. O'KANE: Hi, this is Stephen O'Kane,
9 with AES. I'll respond to that one.

10 No, we have not received permission from
11 the Conservancy so it is no longer part of our plan
12 to walk pedestrians from the Plains tank area over
13 to the construction site, and we will continue with
14 the original plan as per the underlying license and
15 analysis that workers from that site would be bussed
16 around Magnolia to Newland.

17 HEARING OFFICER COCHRAN: Okay. Does that
18 also then mean that you're not going to be doing the
19 roadway improvements at Magnolia and Banning?

20 MR. O'KANE: No, no. The roadway
21 improvements at Magnolia and Banning provide access
22 into the site, construction lay-down and worker
23 parking. They still need to get into that site and
24 use it, they just won't be walking across the
25 pedestrian bridge or the utility bridge that's over

1 the canal.

2 HEARING OFFICER COCHRAN: Okay. Because I
3 noted in the traffic and transportation section
4 there was not a lot of discussion about the impacts
5 of those roadway improvements, saying that we would
6 just defer to the existing conditions of
7 certification that were written to remediate any
8 damage caused by heavy loads over local roads.

9 And I guess my question there is why wasn't
10 there any analysis, and particularly anything that
11 may be related to growth inducement?

12 Also, if you were to get an encroachment
13 permit from the City, those generally don't have any
14 environmental review, though it's my understanding
15 from previous discussions that we've had in these
16 status conferences that this isn't part of the city
17 roadway master plan or anything like that, so some
18 type of analysis needs to be done to say that there
19 are no impacts or what those impacts are and how
20 they're mitigated.

21 And if we are going to just say yes, you're
22 going to go get an encroachment permit, the city of
23 Huntington Beach takes care of whatever the
24 environmental impacts are, then I think that the
25 committee is going to be looking for the usual

1 information that staff includes, which is that there
2 is effective mitigation by that other agency, that
3 they will assess those impacts and that whatever
4 conditions the City would impose we impose through
5 our conditions of certification. And if there's any
6 unmitigated impacts that we will mitigate those
7 ourselves. So I think the committee's going to be
8 looking for that in traffic and transportation in
9 the FSA.

10 Any questions, comments?

11 MR. O'KANE: A little bit surprised about
12 that comment. Yeah. Certainly as part of the
13 discovery we did submit (inaudible) traffic
14 analysis, (inaudible) analysis including traffic
15 analysis assuming the redesign of the
16 Magnolia/Banning entrance.

17 And also discussed that there's certainly a
18 need for us to get our (inaudible) traffic planning
19 and conduct the turn lanes analysis and whatnot that
20 the City requires for their permitting process.

21 But as far as the environmental impact
22 analysis, I do believe that was included, perhaps
23 not written up clearly in the PSA, and I'll let
24 Stoel Rives, my counsel, maybe expand on that.

25 MS. FOSTER: Yes. Some of our PSA comments

1 indicated that we have provided additional traffic
2 analysis, as Mr. O'Kane mentioned, and we referenced
3 that initial analysis in the docket in our PSA
4 comments, as well as the proposed conditions of
5 certification that AES is willing to adhere to as
6 well related to the new intersection, and we're
7 requested that staff incorporate that information
8 into the FSA.

9 HEARING OFFICER COCHRAN: Thank you.

10 I also would echo the comments that the
11 applicant made regarding land use, and that is that
12 we need to update it in light of the City's
13 resolution, particularly because there are increased
14 heights in this.

15 I know in Carlsbad that was a big issue
16 because the whole reason for the height limitations
17 was to protect scenic vistas, and so I want to make
18 sure that there's no bleed-over here as well for
19 visual resources, so we need to have findings
20 regarding the variance, coastal development permit,
21 and so forth.

22 One question I am going to put out there,
23 and again, I don't expect an answer today, is
24 regarding the water supply assessment and how does
25 Water Code Section 10910(h) apply, if at all.

1 Subsection (h) says, "Notwithstanding any
2 other provision of this part, if a project has been
3 the subject of a water supply assessment that
4 complies with the requirements of this part, no
5 additional water supply assessment shall be
6 required," and then there are some conditions on
7 that.

8 But we did do a water supply assessment
9 last time, so it seems as though we could have
10 escaped having to do the analysis that staff did
11 this time, which I appreciate by the way.

12 Also, I couldn't find any discussion of
13 wetlands in bio, in soil and water, or anywhere
14 else, and so that troubled me a little bit,
15 particularly in light of the Coastal Commission's
16 comments.

17 MR. BELL: I'd like to address that
18 quickly. In the underlying license proceeding there
19 were no wetlands found on the project site. There's
20 no information that's before staff that would change
21 that previous determination.

22 I know the Coastal Commission has a
23 different view on that, and also that they have a
24 different view on what constitutes the actual
25 project site. Even at the very beginning of their

1 report they reference the 60-acre project site. I'm
2 sure the committee is well aware that the project
3 site is nowhere near 60 acres.

4 So there are no wetlands on the project
5 site and no wetlands that would be affected by this
6 project, and nothing has changed from the underlying
7 licensing proceeding until now.

8 HEARING OFFICER COCHRAN: Okay. So I'm
9 assuming, then, that this will be part of how we
10 address the report from the Coastal Commission.

11 MR. BELL: We'll be responsive to their
12 comments.

13 HEARING OFFICER COCHRAN: Okay. Thank you.

14 Finally, turning to alternatives. I'm sure
15 you've all seen the Cal ISO letter of August 10 that
16 talks about the fact that they believe there is
17 merit to having clutch capability at Huntington
18 Beach, and that the project site could be designed
19 to accommodate clutch installation in the future
20 should the need arise.

21 And I just want to make sure that that is
22 at least mentioned, discussed, somehow put forward.
23 I know that that won't be part of the combined
24 cycle, I think that this is referring specifically
25 to simple cycle for the reasons that Mr. O'Kane has

1 been very clear about in our prior discussions on
2 synchronous condensers that I won't mention so it
3 won't cause him to speak out again.

4 MR. O'KANE: Appreciate that.

5 HEARING OFFICER COCHRAN: I heard your
6 message loud and clear.

7 So that was all the comments we have. So
8 now that you know what our comments are, let's go
9 back to the schedule discussion that we were having.
10 And I'm not sure where we're going to shake out on
11 bifurcation or not bifurcation, but I'm going to
12 again ask the question.

13 I know Mr. Layton would prefer us not to
14 bifurcate but if we were to, I guess my question
15 would be how long to prepare everything except for
16 public health and air quality, taking applicant's
17 contention and putting it aside as well?

18 MR. BELL: On the subject of bifurcation, I
19 know Mr. Layton from his perspective as the office
20 manager for the engineering department - he does
21 have some real concerns about bifurcation.

22 HEARING OFFICER COCHRAN: I'm sorry.

23 MR. BELL: He does have some real concern
24 about bifurcation and how that would affect his
25 staff.

1 I can say from experience, I've been
2 involved in proceedings where we've bifurcated
3 before, and I can say that nothing good has come
4 from bifurcation. It does not advance the schedule.
5 In fact, it has the effect of delaying the schedule.
6 We could put out part of a document at one point and
7 then part of a document at another time.

8 That also creates other issues. We have
9 more docket entries as we go along in the docket.
10 Makes it much more confusing for third parties and
11 sometimes even for the parties themselves to wade
12 through the docket and through the evidentiary
13 proceedings.

14 And on the issue of evidentiary
15 proceedings, when we bifurcate on issues, oftentimes
16 we will have contested issues in both segments of
17 the evidentiary hearings.

18 I think the only time that bifurcation
19 would make sense, if we had a chunk of the
20 proceeding that has no controversy and no issues
21 whatsoever and a chunk that does have controversy
22 and issues. But you still end up with the problem of
23 multiple docket entries over time and multiple
24 hearings as well.

25 As the committee knows, we have a fairly

1 strong contingent of local folks who have been
2 following this down in Huntington Beach. One of the
3 missions of the Commission is to involve local
4 communities. If we bifurcate we're looking at
5 multiple hearings, possibly in that community if we
6 want to carry on the mission of involving that local
7 community, which is more time and more expense for
8 everybody involved.

9 What it comes down to, if you look at all
10 the advantages versus disadvantages, the
11 disadvantages of bifurcating far outweigh the
12 advantages.

13 Of course, there could be other reasons to
14 bifurcate which has to do with possible timing
15 issues for the applicant in what they have to do on
16 their end, but from staff's perspective, we don't
17 see the advantage of bifurcate.

18 That being said, if the committee does
19 prefer to bifurcate we'll do everything we can to
20 meet our schedule in that.

21 HEARING OFFICER COCHRAN: Is it possible to
22 then shorten the 30 day request so that while we're
23 waiting for the FDOC from South Coast the rest of
24 the document could be written, and then it would
25 just be however much time it takes to incorporate

1 the FDOC into air quality and public health?

2 MR. BELL: Well, of course from the times
3 that we're waiting for another agency to contribute
4 their part -- for example, the Air District we're
5 waiting on the FDOC -- that doesn't mean that we're
6 not working other sections. Much of what we've
7 written from the PDOC should roll over to the FDOC
8 in much the same form that it already is.

9 The 30 days that we typically ask for, that
10 we almost always ask for from the time that an FDOC
11 is completed to the time that we publish the FSA is
12 strictly for internal management of staff resources.
13 We have different levels of review that we have to
14 do before we get a document out, and 30 days is
15 really the minimum time that we can do that
16 comfortably.

17 That's not to say the staff can't go
18 forward uncomfortably if another schedule is
19 absolutely necessary, and of course staff will do
20 everything they can to meet whatever schedule is met
21 as best we can with the resources we have available.

22 But 30 days is typically what we ask for.
23 If a shorter time is set by the committee, staff
24 will do everything they can to meet that shorter
25 timeframe.

1 HEARING OFFICER COCHRAN: And I look to
2 specifically the suggestion that the applicant made
3 that an FSA could be produced and then errata issued
4 once the FDOC is released by South Coast.

5 MR. BELL: Of course, I'm loath to refer to
6 it as an errata because an errata of course is
7 correcting errors, so we wouldn't be filing an
8 errata. If we had to we'd file a supplement to
9 whatever we have in the FSA, or an amended FSA.

10 But again, we're still waiting for that
11 final word from the Air District before we do
12 anything. It really doesn't make sense to put out a
13 document and then wait and wait and wait until we
14 get something final, you know, whereas if we wait
15 just an extra week or two, we could have the final
16 document all docketed at the same time.

17 It just makes for a cleaner record and I
18 think it's much easier to process like that instead
19 of piecemealing staff's analysis.

20 COMMISSIONER MCALLISTER: My experience the
21 last, and maybe the only time that I've been
22 involved in one that got bifurcated, it was kind of
23 a cluster. It really required amendments and
24 amendments and changes and changes and then at the
25 Business Meeting we were reading in final changes.

1 It was just not a fun thing.

2 So, personally I'd be hoping to avoid that.
3 It just makes life easier for everybody and
4 decreases the risk I think generally, so I would
5 like to make it simple.

6 But I also wish Mr. Layton was
7 participating and sitting here. I think having as
8 much of the document on deck so that we can kind of
9 work around the FDOC and push it across the finish
10 line and get it out as soon thereafter as possible
11 should be our goal. And what those dates are I think
12 we should decide on.

13 MR. BELL: I don't recall if I was the
14 attorney on the case that you had that bifurcated,
15 but I can tell you that your experience has been my
16 consistent experience in those cases that I've
17 worked on that were bifurcated, it really doesn't
18 help.

19 It may get parts of the project over the
20 finish line a little faster, but I don't see an
21 advancement in scheduling. I certainly don't see it
22 making for a cleaner record.

23 MS. FOSTER: And to clarify the position of
24 the applicant. We wouldn't be asking to bifurcate
25 the hearings or that sort of thing, we would just be

1 asking for the FSA that's supposed to come out on
2 Monday but for the absence of the FDOC to be
3 published as soon as possible, and like the previous
4 proceeding, when the FDOC is issued it's
5 incorporated in however it's necessary.

6 We only went through -- we did have two
7 days of hearing last time but not because of a
8 bifurcation issue but because of a timing schedule
9 issue and flight issues.

10 But that would be the request, is to see
11 staff's analysis as soon as possible to make sure we
12 stick on schedule.

13 And also to the schedule is on the back end
14 from the time the FSA is issued going into
15 testimony, prehearing conference and the scheduling
16 of the evidentiary hearings and the PMPD timing, we
17 would want those dates that were in the issued
18 schedule condensed as well.

19 MR. BELL: I can point out one thing,
20 though. The difference between the underlying
21 proceeding and now with respect to air quality is I
22 understand there have been some changes in the
23 modeling that's now being used by the Air District.

24 I recall during the underlying license
25 proceeding that there didn't appear to be issues

1 with the Air District, and I think in that case that
2 staff felt more comfortable putting out what we
3 believed was what was going to mesh with what the
4 Air District was doing.

5 Staff's not in that same position at this
6 point; there has been a change in the air quality,
7 at least by the Air District, and staff is much less
8 comfortable doing that.

9 There are also noticing issues as well. If
10 we were to put out an FSA with what we think will
11 mesh with what the Air District is proposing, and
12 the Air District indeed comes out with an FDOC after
13 that, we would have to supplement our FSA with any
14 new information we get from the Air District, and
15 that would have to be out for comment period before
16 we get to hearings. The last thing we want to do is
17 create an issue for a third party to come in and say
18 we didn't have enough time to consider this.

19 But I can say that staff is working
20 diligently to meet the schedule as best we can, and
21 is rather enthusiastic to get this out.

22 MR. KNIGHT: Hearing Officer Cochran, if I
23 could just make one comment?

24 HEARING OFFICER COCHRAN: Yes, Mr. Knight.

25 MR. KNIGHT: Thank you. Eric Knight again.

1 So I wanted to assure the committee and AES
2 that staff is working on the FSA for Huntington.
3 We're not waiting, at least my staff is not waiting
4 for the FDOC, it doesn't affect our technical
5 disciplines.

6 But as what's already been mentioned here
7 is that these documents require a lot of review by a
8 lot of people and that includes the managers, and
9 the managers right now are reviewing three other
10 documents that we're trying to publish, one of those
11 being the other AES project, Alamitos. We're
12 committed to try and publish by the end of the
13 month.

14 We also have Palmdale FSA that's due next
15 week, and then there's also the Pomona draft initial
16 study. So there are a lot of documents that are in
17 review right now that we're trying to get out, but
18 staff is working on Huntington Beach, and so we will
19 do our best to get our ducks lined up in a row and
20 ready when the FDOC is finally published.

21 Thank you.

22 COMMISSIONER MCALLISTER: So it sounds like
23 there are many things in the FSA in whatever
24 sections that you will need to respond to
25 (inaudible); it sounds like there is concerns, is

1 that fair?

2 MS. FOSTER: I think the concern is with
3 the schedule that was issued in early July, the
4 timing post FSA. Of concern is if the FSA slips too
5 far beyond the August 22nd date and if the dates
6 that are in the current order stay, it's about six
7 weeks to PMPD from evidentiary hearings, we will not
8 have a final decision in November of '16, which is
9 absolutely critical for the project as Stephen has
10 noted at the beginning of the status conference.

11 So our concern is the longer it takes the
12 FSA, we know that the other dates trail along that
13 as well, so if there's a way to condense those dates
14 of the hearing phase, the timing for submission of
15 testimony, hearing, and the timing to PMPD on the
16 back end if the FSA comes out a little later, that
17 would be fine as long as we can have a decision this
18 year.

19 COMMISSIONER MCALLISTER: Yeah, it seems
20 like there's a lot hinging on when the FDOC comes
21 out, so I guess (inaudible), so it would be nice if
22 we have some better idea of when the FDOC might be
23 released.

24 Mr. Lee, I'm not going to put you on the
25 spot to give us a date now, but if you could maybe

1 do a little bit of planning and figure out what the
2 likely timeframe is, that would be helpful, I think,
3 for us to know.

4 MR. LEE: We are still on. Indeed we will
5 look at our resources as well and we are working on
6 it very diligently to get that FDOC and we have been
7 working overtime and I believe (inaudible) as well,
8 so we are trying the best we can.

9 Unfortunately, as you mentioned earlier,
10 the AES Alamitos facility as well, we just received
11 the public comments August 9th, so we have been
12 working on that as well and we are very consistent
13 in regard to the questions that were asked by
14 Helping Hand Tools for the Alamitos project, so
15 we're trying to work with them currently.

16 Hopefully, the Alamitos will be done almost
17 at the same moment as the Huntington Beach facility,
18 so I'm not sure if that's good news or not for
19 Stephen O'Kane, but we are trying to work as
20 diligently as possible and we will try at the next
21 monthly update to give you a better idea of the time
22 we believe we would have it completed.

23 COMMISSIONER MCALLISTER: Okay. Thanks very
24 much.

25 MR. LEE: Sure.

1 COMMISSIONER MCALLISTER: I wanted to just
2 quickly go back to make sure we've bottomed out in
3 terms of alternatives to how we want to move
4 forward, any alternatives at staff level.

5 And Mr. O'Kane, I'm not going (inaudible)
6 problems, but I think we do need to (inaudible) to
7 the PUC and some of the issues there related to the
8 PUC's job and I think we do have to work in concert
9 so that we don't have a disconnect that requires us
10 to bounce back and forth between agencies.

11 So anyway, I wanted to just sort of express
12 my interest in seeing a little bit of the bigger
13 picture here and understanding the position of our
14 sister agency and to the extent that it relates to
15 our work here.

16 HEARING OFFICER COCHRAN: Mr. Layton.

17 MR. LAYTON: Commissioner McAllister, this
18 is Matt Layton. We've tried to address the clutches
19 inside the siting cases. So what are we missing that
20 you think we could provide? Because we were so stuck
21 on is there a need.

22 Obviously it's a commonsense thing to do,
23 but the need assessment is still not something we
24 do, so we've been hard pressed to say yes, you
25 should put this clutch in because it's needed,

1 because we can't say it's needed. So we've
2 struggled.

3 Is there some thought that you think that
4 we could -- how can we address this inside of a
5 citing case?

6 HEARING OFFICER COCHRAN: I think it's more
7 in the site plan to leave space between the simple
8 cycle structures to put the synchronous condensers
9 in.

10 I don't think that this gets to the
11 question of Cal ISO specifically said that in their
12 current transmission system planning that there is
13 no need for additional synchronous generation, but
14 that they also know that this plant will have a
15 longer useful life than ten years.

16 And so they want to make sure that as that
17 planning horizon continues to move and the economic
18 useful life of this facility moves along with it,
19 that the facility is flexible enough to be able to
20 accommodate whatever those changes in technology may
21 be.

22 COMMISSIONER MCALLISTER: So to split that
23 into slightly different terms. We looked at the
24 transmission plan and we wrote a letter saying,
25 look, has anything changed and essentially no,

1 however, we are looking ten years out and this
2 things going to go beyond that, so commonsense
3 dictates that it ought to be able to accommodate
4 that.

5 So I'm not implying on need, that's really
6 the PUC's job, but if they -- let's say years down
7 the road the simple cycle piece starts to get
8 implemented, can that site accommodate what -- and
9 let's say, just for conjecture, that PUC wants to
10 sort of include that in there.

11 Well, it would be nice to know that that
12 looks like in an anticipatory way versus having to
13 redo the whole project. We should be thinking about
14 that (inaudible) ideas rather than just sort of
15 letting the chips fall ten or fifteen years down the
16 road, so I think it's worth thinking about now. But
17 what simple things could be done on this site to
18 make it more responsive to future realities that we
19 don't know right now.

20 MR. LAYTON: I had forgotten that the
21 simple cycles may not get built right away. I think
22 in our looking at it, you would be hard pressed to
23 install, build a simple cycle with space in between
24 to put a clutch in later. We don't think that would
25 be practical, because by the time you put in the

1 spacer, an extra long shaft and maybe some support,
2 you might as well put the clutch in. So it's hard to
3 say you design it and build it with the anticipation
4 of putting a clutch in later.

5 However, I think what you're asking is, is
6 there 20 more feet that you could, when you finally
7 do decide to configure and build this, that you
8 could actually have 20 more feet to expand it. That,
9 I think we can address.

10 And I think it's pretty straightforward
11 because it's a pretty disturbed site and therefore,
12 the conditions that we're applying, I think would
13 just apply for that 20 foot additional foundation
14 and moving the generator foundation.

15 From an environmental review standpoint,
16 obviously the cost and the need is up to the
17 applicant.

18 MS. FOSTER: This is Melissa Foster and
19 I'll let Stephen speak as well, but I just want to
20 reiterate in our PSA comments we appreciated the
21 informational information about the clutches in the
22 alternative section, but we just want to reiterate
23 the point that there's been no impacts that have
24 been identified that require mitigation or clutches
25 to be installed or even evaluated as an alternative

1 to the project.

2 There's no significant impacts associated
3 with this project that would necessitate a change in
4 design or addition of a clutch to even a portion of
5 the project down the road.

6 Stephen, is there anything else you would
7 like to add?

8 MR. O'KANE: Yeah, I think we have to,
9 Commissioner McAllister said we need to take a look
10 at the bigger picture. We have to understand how in
11 parallel procurement, planning and procurement
12 process in this whole siting case, so you are -- we
13 have not talked at all about (inaudible) what are
14 the other technologies that could provide the same
15 sort of particular condenser? Battery storage? How
16 about the existing generators that are there today
17 and already operating, could they remain in
18 operation?

19 I think it's completely out of the scope of
20 this Committee and this (inaudible) to sort dictate
21 the technical specifications of the project if there
22 is no defined impact or need. So doing what ifs or
23 what sort of engineering specifics we'd have in five
24 or six years when it comes time to build would
25 probably never be built without procurement and the

1 procurement is going to dictate the design and the
2 need that the utilities and the system
3 administrators want.

4 (inaudible) by Cal ISO is merely
5 speculation and has no technical need and a ten year
6 report may or may not be deemed. So I think this is
7 a highly inappropriate discussion, quite frankly,
8 for this siting committee.

9 MR. KNIGHT: I'd just like to add and echo
10 what Ms. Foster had mentioned.

11 In response to the committee's request to
12 address clutches in these proceedings, we have stuck
13 that analysis in the alternatives section because we
14 didn't know where else to put it. But it's not truly
15 like a CEQA alternative. It was an identified impact
16 that we were going to try to avoid or lessen. So we
17 just put it there because we didn't know where else
18 to stick it.

19 COMMISSIONER MCALLISTER: Okay.

20 MR. LAYTON: This is Matt Layton again. I
21 agree with Mr. O'Kane that I don't know what's going
22 to happen in five years, but I think the committee
23 is asking could you, staff, do an analysis of
24 potential clutch.

25 I think we can. We're not making any

1 assertions about whether it's needed, viable,
2 economic or anything like that.

3 COMMISSIONER MCALLISTER: And I certainly
4 acknowledge that there was some uncertainty here. I
5 mean what is the market (inaudible) going forward.
6 There are lots of, certainly with all due respect,
7 Mr. O'Kane, I agree with parts of what you said, but
8 I also said as a public servant and trying to figure
9 out how to anticipate what things are going to be, I
10 think it's actually not a far off bet to -- you
11 know, we're all struggling with reliability, we're
12 all struggling with system issues. We're all across
13 the agencies talking about these issues around
14 planning.

15 And so while you're correct that
16 procurement will dictate the details of any given
17 project, if we limit ourselves by not doing
18 commonsense things with a relatively low cost, we
19 may not be talking about the same levels of cost,
20 but our understanding of what's an appropriate cost
21 might be different. But I think if we don't have
22 some of this conversation to think about what are
23 probably relatively likely possibilities in the
24 future as we move forward toward highly renewable
25 systems, when we're not doing ourselves any favors.

1 So this isn't how I think we need to looking at
2 here, obviously that's the PUC, but if they find
3 themselves wanting to do something and they cannot
4 physically because of limited planning now, then
5 that won't be a good thing.

6 So nobody's saying we're going to force you
7 to put in a clutch today, but if there are
8 relatively simple, relatively low cost things that
9 can be planned for and not implemented today but
10 planned for and we keep the option open, then that's
11 a good thing. And I think hopefully you would agree
12 with that statement.

13 MR. O'KANE: Well, we've listened to the
14 last hour. We saw the train wreck coming with
15 (inaudible) tight schedules. That sort of analysis
16 and design if it does anything to change that
17 footprint takes the schedule way off track. Let's
18 keep that in mind.

19 COMMISSIONER MCALLISTER: Thanks, duly
20 noted.

21 So anybody have anything else to say about
22 the schedule? Do we think we have enough information
23 to (inaudible) into the last schedule?

24 MR. BELL: At some point will the hearing
25 officer be requesting availability of the parties? I

1 just want to make sure that everyone is available
2 when we need to be, or not.

3 HEARING OFFICER COCHRAN: I think at this
4 point it's going to be more in the nature of a once
5 this, then that type of schedule, because not having
6 any idea when the FDOC may be coming out, I don't
7 know how, even if we accepted applicant's suggestion
8 that we issue the FSA now and then some sort of
9 amendment, addenda, supplemental, subsequent
10 supplement to the FSA --

11 MR. BELL: As long as you don't call it an
12 errata.

13 HEARING OFFICER COCHRAN: I carefully
14 didn't, I used all my other favorite CEQA words
15 instead. That I don't know how we schedule or even
16 start thinking about an evidentiary hearings.

17 If South Coast had said we're going to have
18 the FDOC out by August 31 or September 4 or pick a
19 date, then I think I would be saying what does
20 everyone's calendar look like this week.

21 I understand the applicant's need to have a
22 decision by the end of this year, but I also
23 understand that this committee has a need to put out
24 a full and complete PMPD, and that does take time.
25 Much the same way that staff takes time to do its

1 writing and review, I also take time to write and
2 review, and that's just how it is. So to continually
3 shorten the amount of time I have with that, I
4 learned fool me once, shame on me.

5 So at this point I don't know what the
6 schedule is going to look like except probably
7 if/then because, again, it's too unknown and
8 unknowable at this point, I think, unless someone
9 has a crystal ball they didn't bring and aren't
10 showing.

11 I see Mr. Salmay reaching into his coat
12 pocket. So I think that's where we are.

13 If parties do know of times that they won't
14 be available - I think you could find somebody that
15 says I know already I'm not going to be available
16 the last two weeks of November because I'm going to
17 Italy for Thanksgiving. But let us know -- not me
18 personally, that was an if -- then we'll take it
19 from there.

20 MR. LAYTON: Hearing Office Cochran?

21 HEARING OFFICER COCHRAN: Yes.

22 MR. LAYTON: This is Matt Layton. I thought
23 the schedule AES had indicated that it was December
24 for both projects. I'm now hearing that Huntington
25 Beach they would like to have done by November,

1 otherwise their schedule falls apart. I guess I
2 would hope for clarity on that.

3 And I still hope that AES could provide
4 some direction if there is a priority, a preference,
5 or if there is no preference or priority between the
6 two projects, it would help staff. Or they don't
7 have to help staff, I guess.

8 HEARING OFFICER COCHRAN: I think it would
9 help the committee.

10 MR. O'KANE: Stephen O'Kane again. Well,
11 they're on the same schedule. They've got the same
12 spring 2020 and the same very tight window for
13 (inaudible) work to be done in the winter of
14 '19/'20. They have essentially the same schedule so
15 call it November, call it end of year. December 31st
16 is like our drop dead date for both of those
17 projects.

18 Yeah, it does mean overtime and weekends
19 and paying for consultants, all those things are
20 going to have to be done. It's been done before.
21 Energy crisis 2001 (inaudible) out in six months or
22 we're not going to do it now. Either that or do we
23 start writing letters looking at the alternatives if
24 those units are not online by that time?

25 My hair's on fire here, guys. I don't know

1 what else I can say.

2 HEARING OFFICER COCHRAN: Understood.

3 Anything else?

4 COMMISSIONER MCALLISTER: Do we have any
5 members of the public? I don't see any in the room,
6 but on the phone or online, do we have any members
7 of the public that would like to comment?

8 (Inaudible) Everybody's unmuted so go ahead
9 and speak.

10 Okay, not hearing any members of the public
11 who want to speak, so thanks everybody for coming.
12 We will - do we have any timetable of when we're
13 going to get the schedule out? So we're going to
14 give ourselves until the end of next week to put out
15 a new amended schedule, updated schedule, and so
16 we'll need a few days to figure it out. Appreciate
17 everybody in the conversation and trying to be
18 flexible going forward. Certainly we'll (inaudible)
19 this thing (inaudible) as soon as possible. I see
20 (inaudible) nodding his head vigorously there.

21 Once again, thanks very much for coming.

22 (Adjourned at 12:06 p.m.)

23

24

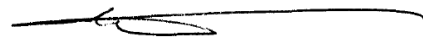
25

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 17th day of March, 2017.




PETER PETTY
CER**D-493
Notary Public

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 28th day of March, 2017.



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