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STATE OF CALIFORNIA
STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

BLACK ROCK GEOTHERMAL PROJECT
(BRGP) APPLICATION FOR
CERTIFICATION

Docket No. 23-AFC-03

CALIFORNIA UNIONS FOR RELIABLE ENERGY
STATUS REPORT NO. 4

January 31, 2024

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INTRODUCTION

California Unions for Reliable Energy (“CURE”) submits this status report in the Black Rock Geothermal Project (“BRGP”) proceeding (Docket No. 23-AFC-03) pursuant to the Presiding Member’s Scheduling Order issued on September 12, 2023 (TN 252289).

DISCUSSION

I. Summary of the Progress of Discovery

CURE submitted its second set of data requests to the Applicant on November 27, 2023 (TN 253339). On January 17, 2024, the Applicant provided responses to CURE’s second set of data requests (TN 253937). CURE is evaluating the Applicant’s responses with the assistance of its technical experts. CURE is also evaluating the responses to determine whether to petition the committee for an order to provide the requested information.

CURE submitted its third set of data requests to the Applicant on December 20, 2023, requesting redacted versions of the BRGP System Impact Study (“SIS”) and other transmission-related records (TN 253698). On January 9, 2024, the Applicant objected to CURE Data Request 243 seeking a redacted version of Data Request Response 85 – Imperial Irrigation District Switching Station One-line Diagram (TN 253841). On January 19, 2024, the Applicant also provided responses to CURE’s third set of data requests (TN 254033-1, 254033-2). CURE is evaluating the Applicant’s objections and responses with the assistance of technical experts.

CURE submitted its fourth set of data requests to the Applicant on January 22, 2024 on water resources, geologic hazards and resources, biological resources, and air quality and public health (TN 254079). The Applicant must notify CURE and the Committee within 20 days of receiving the request if it is unable to provide or objects to providing the information requested and, absent such an objection, provide the information requested within 30 days (20 C.C.R. § 1716(f)).

Counsel for CURE and counsel for the Applicant continue to discuss the production of records related to transmission, air quality, geology, and injection wells previously designated confidential in this proceeding.

Discovery closed on January 22, 2024 pursuant to the Presiding Member's Scheduling Order (TN 252289).

II. Significant Communications with Tribal Governments and Federal, State, and Local Agencies

CURE is in discussion with various local, state, and federal agencies regarding its requests for public records related to the BRGP.

III. Factors That May Impact the Schedule

On January 12, 2024 counsel for CURE and counsel for California Energy Commission ("CEC") staff met to discuss the schedule for the proceeding in anticipation of the release of the Preliminary Decision of Compliance ("PDOC") by the Imperial County Air Pollution Control District ("ICAPCD"). While ICAPCD released the PDOC for the Elmore North Geothermal Project on January 19, 2024 (TN 254004), the ICAPCD has yet to release the PDOC for BRGP. CURE has been

unable to obtain updated information or a new estimated date from ICAPCD for release of the PDOC for BRGP.

CURE continues to support CEC staff's request in its Status Report No. 3 for the BRGP that the Committee consider ordering a forty-five (45) day comment period for the BRGP Preliminary Staff Assessment (TN 253709).

Dated: January 31, 2024

Respectfully submitted,

Original Signed by:

/s/ Kelilah D. Federman

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