

**DOCKETED**

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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. 5**

February 29, 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 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). On February 12, 2024, the Applicant objected to Data Requests No. 261-264 and 267 (TN 254415). On February 21, 2024, the Applicant released responses to CURE’s other data requests in set four (TN 254600). CURE is evaluating the Applicant’s responses with the assistance of technical experts. CURE is also evaluating the objections and responses to determine whether to petition the committee for an order to provide the requested information.

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.

### **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 February 16, 2024, the Imperial County Air Pollution Control District (“ICAPCD”) released the Preliminary Determination of Compliance (“PDOC”) for BRGP (TN 254543). Pursuant to the Presiding Member’s Scheduling Order, the California Energy Commission (“CEC”) staff must release the Preliminary Staff Assessment (“PSA”) no later than 60 days after submittal of the PDOC, establishing a PSA deadline of April 16, 2024.

CURE continues to support CEC staff’s request that the Committee consider ordering a forty-five (45) day comment period for the BRGP PSA. CURE also supports an extension of the date to release a PSA in order to allow staff time to evaluate outstanding data request responses, engage with local agencies, and assess newly received information regarding impacts to other geothermal facilities in the area.

Dated: February 29, 2024

Respectfully submitted,

**Original Signed by:**

/s/ Kelilah D. Federman

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