

Energy - Docket Optical System

From: Randall Fung [funggrip@jnb.com]
Sent: Wednesday, November 28, 2012 9:59 AM
To: Energy - Docket Optical System
Cc: Rundquist, Dale@Energy
Subject: Docket # 12-CAI-04 Fung input.pdf

California Energy Commission

DOCKETED
12-CAI-4

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Categories: Ready to Docket

Regarding:
Docket # 12-CAI-04
David Coleman complaint to amendment of Bottle Rock Power Purchase agreement of 2001.

November 28, 2012
From:
Randall & Linda Fung
8195 High Valley Rd.
Cobb, CA 95426

To:
Kevin Ball
Senior Staff Counsel
California Energy Commission
1516 Ninth Street
Sacramento, CA95814-5512

To whom it may concern,

We urge that the California Energy Commission **appoint a special commission** to investigate the complaint filed by David Coleman, docket # 12-CAI-04 on October 11, 2012.

The complaint states that the new proposed amendment violates the Commissions 2001 order that BRP LLC "strictly adhere to the terms of the 'Purchase Agreement for the Bottle Rock Power Plant".

That Purchase Agreement included the requirement of a five million dollar surety bond to DWR and an Environmental Impairment Insurance policy be in effect at all times.

It is important that a commission study the full history of Bottle Rock Power, it's adherence to the requirements of the purchase agreement and Bottle Rock's financial viability in the future.

We doubt whether BRP has continually held a valid bond as required per the purchase agreement. In meetings, letters and hearings, BRP has been asked to provide evidence of said bond, and no evidence has ever been shown.

Also Please consider these opinions:

1. Bottle Rock Power is producing less power output now, than when DWR decided to shut down in 1991.
2. Bottle Rock Power LLC has tried for five years to produce electricity from a failing geothermal resource, and after investing millions and millions of investor's dollars, they are producing less steam now than when they opened. The current operation have never exceeding the highest output by DWR.
3. BRP has a history of failing to meet it's estimated output to PG&E.
4. BRP is an independent LLC and it's two major investment companies are under no obligations to cover the cost of closure or cleanup, nor fund any future projects.
5. BRP has not started their expansion project even though it was approved over 20 months ago.
6. It is questionable whether there is any funding for the proposed project.
7. BRP has been for sale since 2007.
8. BRP's statements in response contradict each other.
One states that BRP is stronger today, than when the original purchase agreement was signed.
The second statement claims that BRP cannot afford to carry a closure and environmental bond.
9. BRP has an extensive history of environmental violations.
10. The Coleman Family Trust is also a Limited Liability Company.

Please read this letter in the Public Comment portion of the hearings.
We support the appointment of a committee to study the facts of the Complaint.

The original purchase agreement included sections 2.4 and 2.5 because it recognized that the purchase of the defunct power plant by a small unknown company was a risky venture and it still is.

WHO WILL COVER THE COSTS OF CLOSURE OR ENVIRONMENTAL DAMAGES if these sections are deleted?

That is the big question.
What will be the actual costs.

As we live in very close proximity to the Bottle Rock Power Plant, we are very concerned about the cleanup and contamination due to the plant's operations and closure.

Please help to protect our safety and environment.

Respectfully,
Randall and Linda Fung
8195 High Valley Rd.
Cobb, CA 95426