

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

In the Matter of:)	Docket No. 12-CAI-04
)	
)	STAFF RESPONSE AND COMMENTS
BOTTLE ROCK GEOTHERMAL)	TO BOTTLE ROCK POWER LLC'S
POWER PLANT)	REQUEST TO SUSPEND
)	CONSIDERATION OF ITS APPEAL
<hr/>)	OF THE COMMITTEE'S DECISION

On October 11, 2012, David Coleman filed a Complaint pursuant to California Code of Regulations, title 20, section 1237 regarding a recent amendment to the original 2001 Purchase Agreement between the current facility owner, Bottle Rock Power LLC, and the previous facility owner, the California Department of Water Resources (DWR).

On January 22, 2013, the Committee assigned to hear the above entitled matter conducted an evidentiary hearing, and after hearing all of the evidence found that Bottle Rock Power LLC violated the terms and conditions of its permit to operate by failing to maintain a surety bond in the amount of \$5 million. The Committee ordered Bottle Rock Power LLC to either file a new surety bond in the amount of \$5 million by March 8, 2013, or file a petition to amend the bond requirement. Consideration of penalties was ordered held in abeyance until the amendment process is completed.

On February 20, 2013, Bottle Rock Power LLC filed an Appeal of the Committee's Decision sustaining the Complaint. On March, 1, 2013, staff filed a Response to that Appeal, noting that the appeal was without merit, and respectfully requesting that the Energy Commission affirm the Committee's findings and decision.

On March 1, 2013, February 28, counsel for Bottle Rock Power LLC e-mailed the hearing advisor requesting that the Appeal in this matter be stayed.

Pursuant to the Request for responses and comments regarding the above entitled matter filed by the chairman on March 1, 2013, staff hereby notifies the parties that it has no further response or comment regarding Bottle Rock Power LLC's request to suspend consideration of its appeal.

Date: March 4, 2013

Respectfully Submitted,



KEVIN W. BELL
Senior Staff Counsel



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
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*IN THE MATTER OF THE
COMPLAINT AGAINST THE
BOTTLE ROCK GEOTHERMAL POWER PLANT*

Docket No. 12-CAI-04
*PROOF OF SERVICE
(12/21/2012)*

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