



California Energy Commission

DOCKETED

12-CAI-04

TN # 69914

MAR. 13 2013

500 Capitol Mall, Suite 1600
Sacramento, CA 95814
main 916.447.0700
fax 916.447.4781
www.stoel.com

March 13, 2013

KRISTEN T. CASTAÑOS
Direct (916) 319-4674
krcastanos@stoel.com

VIA EMAIL

The Honorable Karen Douglas, Commissioner and Presiding Member
The Honorable Robert B. Weisenmiller, Chair and Associate Member
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

**Re: Bottle Rock Power Plant (12-CAI-04; 79-AFC-4C)
Compliance with the Committee's Decision Sustaining Complaint Against Bottle
Rock Power, LLC**

Dear Commissioner Douglas and Chair Weisenmiller:

This letter is in response to Complainant David Coleman's (the "Complainant") correspondence dated March 12, 2013, in which the Complainant contends that Bottle Rock Power, LLC ("Bottle Rock") failed to satisfy the requirements of the Committee's February 6, 2013 Decision Sustaining Complaint Against Bottle Rock ("Decision"), as necessary to invoke the stay of the obligation to reinstate the bond. Bottle Rock has made every effort to comply with the orders and decisions issued by the California Energy Commission, including the Committee's Decision. Bottle Rock's March 6, 2013 correspondence to this Committee and March 8, 2013 Petition to Amend were submitted with every intention to fully comply with the Committee's Decision and meet the conditions necessary to invoke the stay of the requirement to reinstate the bond. Bottle Rock's inadvertent omission in those submittals of the date by which the decommissioning study will be provided to the Commission was not intentional and, by this correspondence, Bottle Rock provides that date.

As set forth in Bottle Rock's March 6th correspondence and the related attachment, Bottle Rock has entered into an agreement with an engineering firm to obtain an engineering study to establish the costs of decommissioning of the Bottle Rock Power Plant. Bottle Rock anticipates the study to be completed and submitted to the Commission on or before April 15, 2013.

On behalf of Bottle Rock, we apologize for this oversight in the March 6, 2013 and March 8, 2013 submittals. It is Bottle Rock's intention to continue working with this Committee, the



The Honorable Karen Douglas, Commissioner and Presiding Member

March 13, 2013

Page 2

Complainant, and all other parties to resolve the complaint proceeding as efficiently and timely as possible.

Should you have any questions regarding this correspondence, or Bottle Rock's March 6th letter or March 8, 2013 Petition to Amend, please contact John A. McKinsey or me.

Very truly yours,

Kristen T. Castaños

KTC:jmw

cc: Proof of Service List



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**IN THE MATTER OF THE
COMPLAINT AGAINST THE
BOTTLE ROCK GEOTHERMAL POWER PLANT**

**Docket No. 79-AFC-4C;
Docket No. 12-CAI-04
PROOF OF SERVICE
(REVISED 3/4/13)**

SERVICE LIST:

COMPLAINANT

David Coleman
3733 Canon Avenue
Oakland, CA 94602
redandcurly@yahoo.com

COMPLAINANT'S COUNSEL

Donald B. Mooney
129 C St #2
Davis, CA 95616
dbmooney@dcn.org

RESPONDENT/PROJECT OWNER

Bottle Rock Power, LLC
Brian Harms
General Manager
7385 High Valley Road
P.O. Box 326
Cobb, CA 95426
bharms@bottlerockpower.com

PROJECT OWNER'S COUNSEL

Kristen T. Castaños
Stoel Rives, LLP
500 Capitol Mall, Suite 1600
Sacramento, CA 95814
kcastanos@stoel.com

John A. McKinsey
Locke Lord LLP
*500 Capitol Mall, Suite 1800
Sacramento, CA 95814
jmckinsey@lockelord.com

PROJECT LANDOWNER

V.V. & J. Coleman LLC
c/o Mark Peterson
Diepenbrock Elkin LLP
500 Capitol Mall, Suite 2200
Sacramento, CA 95814
mpeterson@diepenbrock.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Department of Water Resources
John Dunnigan
Senior Staff Counsel
1416 Ninth Street, Room 1104
Sacramento, CA 95814
jdunniga@water.ca.gov

Department of Conservation
Division of Oil, Gas, &
Geothermal Resources
Elizabeth Johnson
Geothermal Officer
801 K Street, MS 20-20
Sacramento, CA 95814
ljohnson@consvr.ca.gov

Lake County Community
Development Department
Planning Division
c/o Will Evans
Richard Coel
255 North Forbes Street
Lakeport, CA 95453
will.evans@lakecountyca.gov
richard.coel@lakecountyca.gov

**ENERGY COMMISSION –
PUBLIC ADVISER**

Blake Roberts
Assistant Public Adviser
publicadviser@energy.ca.gov

COMMISSION DOCKET UNIT

Attn: Docket No. 12-CAI-04
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

Camille Remy-Obad
Compliance Project Manager
*camille.remy-obad@energy.ca.gov

Kevin W. Bell
Staff Counsel
*kevin.w.bell@energy.ca.gov

**OTHER ENERGY COMMISSION
PARTICIPANTS (LISTED FOR
CONVENIENCE ONLY):**

*After docketing, the Docket Unit will
provide a copy to the persons listed below.
Do not send copies of documents to these
persons unless specifically directed to do so.*

KAREN DOUGLAS
Commissioner and Presiding Member

ROBERT B. WEISENMILLER
Chair and Associate Member

Paul Kramer
Chief Hearing Adviser

Galen Lemei
Adviser to Presiding Member

Jennifer Nelson
Adviser to Presiding Member

Sekita Grant
Adviser to Associate Member

Eileen Allen
Commissioners' Technical
Adviser for Facility Siting

DECLARATION OF SERVICE

I, Kimberly J. Hellwig, declare that on March 13, 2013, I served and filed copies of the attached Bottle Rock Power, LLC's Correspondence to the Committee Providing Date Engineering Study will be Docketed, dated March 13, 2013. This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: <http://www.energy.ca.gov/sitingcases/bottlerock/index.html>.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service) and to the Commission's Docket Unit, as appropriate, in the following manner:

(Check one)

For service to all other parties and filing with the Docket Unit at the Energy Commission:

I e-mailed the document to all e-mail addresses on the Service List above or deposited it in the US mail with first class postage to those parties noted above as "hard copy required";

OR

Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: March 13, 2013

 //ORIGINAL SIGNED\\
Kimberly J. Hellwig