

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

<b>DOCKET</b> 07-AFC-6
DATE <u>MAR 28 2012</u>
RECD. <u>APR 03 2012</u>

In the Matter of: )  
Application for Certification for the )  
Carlsbad Energy Center Project (CECP) )  
\_\_\_\_\_ )

Docket No. 07-AFC-6

City of Carlsbad and the City of Carlsbad as successor agency  
to the former Carlsbad Redevelopment Agency  
Data Request to Staff of the California Energy Commission and  
the California-Independent System Operator

Pursuant to 20 CCR 1716 d, the City of Carlsbad and the City of Carlsbad as successor agency to the former Carlsbad Redevelopment Agency (hereinafter "Carlsbad"), issue this Request for Information on CEC Staff ("Staff") and the California Independent System Operator (ISO).

Background

On December 12, 2011, Mr. Sparks of the ISO appeared in a hearing in the above-referenced proceeding held in Carlsbad, California. Mr. Sparks, relying on the preliminary results of a study not yet available as a draft report, testified that there is a minimum San Diego area need of 231 MW of new capacity in 2021. Some of his conclusions appear in exhibit 199U, two pages out of an ISO slide presentation (12/12/11, Tr. 46)<sup>1</sup>. Dr. Jaske of the CEC Staff also testified, relying upon the draft study underlying exhibit 199U (12/12/11, Tr. 53). Mr. Sparks did testify during the hearing that he did not recall whether San Diego Gas & Electric ("SDG&E"), the host utility had any comments or reaction to the ISO's preliminary results (12/12/11, Tr. 57).

On January 31, 2012, the ISO released its Draft 2011 – 2012 Transmission Plan including its Once-Through Cooling Generation Studies, also called the OTC study. On March 9, 2012, the ISO submitted testimony in the CPUC proceeding (A 11-05-023) issued to describe the local capacity needs based on their 2012 LCR study, 2016 LCR study and OTC study. The conclusions on this testimony were consistent with the ISO/Staff December 12, 2011 testimony presented in this CECP proceeding.

<sup>1</sup> Although the record is unclear, it appears that Staff sponsored the testimony of the ISO (12/12/11, Tr. 15-16) and the Applicant presented exhibit 199U.

On March 19, 2012 the Administrative Law Judge assigned to the CPUC proceeding notified all parties in that proceeding that “the ISO has become aware of a change to the categorization of Sunrise Powerlink & IV Miguel transmission line that the ISO expects will have a significant impact on the conclusions that it presented in its March 9 prepared testimony.” During a conference call held on March 21, 2012 to discuss the implications of this change, Mr. Sparks of the ISO stated that based on the assumptions it used in its studies, the ISO calculated a lower import capability on the transmission system. As a result the ISO will have to redo the analysis used in each of the studies and revisit all of their filed testimony in the CPUC proceeding. Mr. Sparks acknowledged that the change may have “broad impacts” on their assessments and conclusions.

### Reason For Request

One of the pivotal issues in the case has been whether the project complies with all applicable federal, state, and local LORS and, if it does not, whether there is sufficient evidence to support the Commission making the required override findings if the project is approved. A finding of public convenience and necessity in previous Energy Commission siting decisions has correlated to the need for a proposed power plant to meet critical statewide and local electricity demands. The testimony of the ISO and other documents such as the Commission’s Integrated Energy Policy Report relate to this question. The analysis and testimony submitted by the ISO in the CPUC proceeding was determined to be based on incorrect information and is being revised. Since the ISO testimony that was submitted in this proceeding is based on these same studies and information, there is a high likelihood that the testimony submitted in this Carlsbad Energy Center Project (“CECP”) proceeding may also be in error and that the revision of the underlying studies may have “broad impacts” on the ISO’s assessment and conclusions. The City believes that the ISO has agreed to provide all of the below requested information for the CPUC (A 11-05-023).

### Data Request

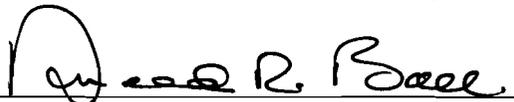
1. Following the completion of the contemplated San Diego area LCR assessments, please provide the conclusions presented in exhibit 199U, in a similar format. Feel free to submit any additional explanatory material you believe would be beneficial.
2. Please explain whether this analysis used the CPUC’s adopted, standardized planning assumptions in the analysis. If it did not, please explain how use of those assumptions would change the analysis.
3. Please explain whether this analysis use the state agencies’ provided assumptions on 2021 incremental energy efficiency and demand response as identified in Table 3.4-1 of the Draft 2011 – 2012 Transmission Plan. If it did not, please explain how use of those assumptions would change the analysis.
4. Has SDG&E and the CPUC reviewed and commented on the analysis? If so, please provide a summary of their analysis.

Please notify the parties if you are unable or object to providing this material.

Notes

1. This data request is directed at both the CEC staff and the ISO as Mr. Ratliff sponsored the ISO witness, but the ISO has a quasi-party status.
2. The requested material cannot be obtained by any entity except the ISO, is relevant to the need for generation in the San Diego region in the 2021 time frame, and may be necessary to the Commission's decision.
3. Although this request is coming late in this licensing process, good cause exists for the revised material to prevent the Commission from relying on unsupportable testimony.

Dated: March 28, 2012



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**APPLICATION FOR CERTIFICATION  
FOR THE CARLSBAD ENERGY  
CENTER PROJECT**

**Docket No. 07-AFC-6  
PROOF OF SERVICE**  
(Revised 3/27/2012)

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**DECLARATION OF SERVICE**

I, Flora Waite, declare that on March 28, 2012, I served and filed a copy of the attached CITY OF CARLSBAD AND THE CITY OF CARLSBAD AS SUCCESSOR AGENCY TO THE FORMER CARLSBAD REDEVELOPMENT AGENCY DATA REQUEST TO STAFF OF THE CALIFORNIA ENERGY COMMISSION AND THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [[www.energy.ca.gov/sitingcases/carlsbad/index.html](http://www.energy.ca.gov/sitingcases/carlsbad/index.html)].

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

**(Check all that Apply)**

**For service to all other parties:**

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked "hard copy required."

**AND**

**For filing with the Docket Unit at the Energy Commission:**

- by sending an original paper copy and one electronic copy, mailed with the U.S. Postal Service with first class postage thereon fully prepaid and e-mailed respectively, to the address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**  
Attn: Docket No. 07-AFC-6  
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Sacramento, CA 95814-5512  
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**OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:**

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission  
Michael J. Levy, Chief Counsel  
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

  
\_\_\_\_\_  
Flora Waite