STATE OF CALIFORNIA

Energy Resources Conservation and Development Commission

In the Matter of the:

COMPLAINT AGAINST THE BOTTLE ROCK GEOTHERMAL POWER PLANT (79-AFC-4C)

Docket No. 12-CAI-04

BOTTLE ROCK POWER, LLC’S REVISED PREHEARING STATEMENT RELATED TO THE JANUARY 22, 2013 COMMITTEE HEARING

January 17, 2013

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STATE OF CALIFORNIA

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I. INTRODUCTION

Pursuant to the Committee’s December 21, 2012 Scheduling Order Project Owner, Bottle Rock Power, LLC (“Project Owner” or “Bottle Rock”), submits this Revised Prehearing Statement.

In short, the Project Owner is amenable to submitting a Petition to Amend (“PTA”) Order No. 01-0530-07 regarding the condition pertaining to adherence to the terms of the purchase and sale agreement. As such, Bottle Rock intends to engage cooperatively with the parties and the Committee at the January 22, 2013 hearing in an effort to resolve the complaint and agree on a path moving forward. Bottle Rock will request that the Committee, as part of its resolution on the Complaint, direct the Project Owner to file a PTA.

II. PROJECT OWNER’S REVISED PREHEARING STATEMENT

A. The Committee’s Request for Information

Bottle Rock has no additional statement regarding the Committee’s request for information.
B. Project Owner’s Position Regarding the Complaint

In the interest of cooperative resolution, Bottle Rock intends to file a PTA to seek amendment to Order No. 01-0530-07 in an effort to provide Bottle Rock clarity regarding the legacy purchase agreement. Bottle Rock respectfully requests that the Committee direct the Project Owner to file a PTA to amend Order No. 01-0530-07.

C. Project Owner’s Time Estimate for Direct Examination

Bottle Rock will not present any witnesses at the hearing. To the extent that any witnesses were identified in Bottle Rock’s Direct Testimony, submitted January 4, 2013, such witnesses have been withdrawn.

D. Project Owner’s Time Estimate for Cross-Examination

Bottle Rock does not intend to cross-examine any witnesses identified by any party.

E. Project Owner’s Time Estimate for Oral Argument

Bottle Rock requests 10 minutes for oral argument.

III. CONCLUSION

The Project Owner respectfully requests that the Committee take the actions requested herein.

Date: January 17, 2013

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

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Compliance Project Manager
Kevin W. Bell
Staff Counsel

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

I, Kimberly J. Hellwig, declare that on January 17, 2013, I served and filed copies of the attached BOTTLE ROCK POWER, LLC’S REVISED PREHEARING STATEMENT. This document is accompanied by the most recent Proof of Service list, which I copied from the web page for this project at: http://www.energy.ca.gov/sitingcases/bottlerock/documents/index.html#cai-04.

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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, and that I am over the age of 18 years.

Dated: January 17, 2013\n
//ORIGINAL SIGNED\n
Kimberly J. Hellwig