In the Matter of: ) Docket No. 12-CAI-04
) ) STAFF RESPONSE AND COMMENTS
) ) TO BOTTLE ROCK POWER LLC’S
) ) REQUEST TO SUSPEND
) ) CONSIDERATION OF ITS APPEAL
) ) 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
IN THE MATTER OF THE
COMPLAINT AGAINST THE
BOTTLE ROCK GEOTHERMAL POWER PLANT

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DECLARATION OF SERVICE

I, Pamela Fredieu declare that on March 4, 2013, I served and filed copies of the attached “STAFF RESPONSE AND COMMENTS TO BOTTLE ROCK POWER LLC’S REQUEST TO SUSPEND CONSIDERATION OF ITS APPEAL OF THE COMMITTEE’S DECISION”, dated March 4, 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/documents/index.html#cai-04.

The document has been sent to the other persons on the Service List above in the following manner:

(Check one)

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

XX I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it 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 1, 2013

/s/ __________________________
Pamela Fredieu
Legal Secretary