CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5112

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

| DOCKET |
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| 97-AFC-1C |
| DATE NOV 02 2011 |
| RECD. NOV 03 2011 |

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| **In the Matter of:** | ) | |
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| **HIGH DESERT POWER PROJECT** | ) | **Docket No. 97-AFC-1C** |
| | ) | **Order No.** 11-1102-4 |
| | ) | |
| **HIGH DESERT POWER PROJECT, LLC** | ) | **ORDER APPROVING Petition to Modify Soil and Water Condition Relating to Submittal Date for Completion of a Reclaimed Water Feasibility Study** |

On May 10, 2011, High Desert Power Project, LLC, the owner/operator of the High Desert Power Project, submitted a petition requesting to modify a soil and water condition of certification. The modification will extend the date of the recycled water feasibility study.

The modification was requested to address delays of the delivery of recycled water from the City of Victorville to the plant site and to provide the project owner sufficient time to test the response of its facilities to the use of recycled water. The original condition of certification provided for a 24-month study period. Since the project started using recycled water in July 2011, allowing approximately 24 months for testing and an additional two months to document the results of the study, this order will extend the due date of the recycled water feasibility study from December 31, 2011 to November 1, 2013.

## STAFF RECOMMENDATION

Energy Commission staff reviewed the petition and finds that it complies with the requirements of Title 20, Section 1769(a) of the California Code of Regulations and recommends approval of the petition to modify the High Desert Power Project and amend the related condition of certification.

## ENERGY COMMISSION FINDINGS

Based on staff's analysis, the Energy Commission concludes that the proposed changes will not result in any significant impact to public health and safety, or the environment. The Energy Commission finds that:

- The petition meets all the filing criteria of Title 20, section 1769(a) concerning post-certification project modifications.
- The modification would not change the findings in the Energy Commission's Final Decision pursuant to Title 20, section 1755.
- The project would remain in compliance with all applicable LORS, subject to the provisions of Public Resources Code section 25525.
- The change will be beneficial to the project owner by allowing the owner to test the feasibility of converting the project to 100 percent recycled water, which will provide a more reliable source of water to the project, and free up water from the Mojave Water Agency and the State Water Project to be banked, improving that source as a back up water supply.
- The change will be beneficial to the public because there will be a decrease in the demand for fresh water from the Mojave Water Agency and State Water Project.

## CONCLUSION AND ORDER

The California Energy Commission hereby adopts staff's recommendations and approves the following changes to the Commission Decision for the High Desert Power Project. New language is shown as **bold and underlined**, and deleted language is shown in ~~strikeout~~.

## CONDITION OF CERTIFICATION

**SOIL&WATER-1** Water used for project operation (except for domestic purposes) shall be State Water Project (SWP) water obtained by the project owner consistent with the provisions of the Mojave Water Agency's (MWA) Ordinance 9 and/or appropriately treated recycled waste water.

f. The project owner shall continue with the feasibility study evaluating the use of 100 percent reclaimed water for evaporative cooling purposes and other industrial uses. The feasibility study shall be completed by the project owner and submitted to the CPM.~~ no later than December 31, 2011.~~

**Verification:**

The project owner shall provide a biannual report on the progress being made on the feasibility study for use of 100 percent recycled water for power plant cooling and other industrial uses. The report shall include information related to project modifications that may be needed for using up to 100 percent recycled water. The first report shall be due six months after the adoption of this condition**, and the final feasibility report shall be submitted to the CPM no later than November 1, 2013**.

The **final** feasibility study ~~to be submitted by December 31, 2011,~~ should contain, but not be limited to, the following information: ...

**IT IS SO ORDERED.**

CERTIFICATION

The undersigned Secretary to the Commission does hereby certify that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on November 2, 2011.

AYE: Weisenmiller, Douglas, Peterman
NAY: None
ABSENT: Boyd
ABSTAIN: None

HARRIET KALLEMEYN
Secretariat