CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512

DOCKET
00-AFC-13C
DATE OCT 20 2010
RECD. OCT 28 2010

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:	)	**Docket No. 00-AFC-13C**
HUNTINGTON BEACH	)	
MODERNIZATION POWER	)	**Order No. 10-1020-1**
PLANT PROJECT	)	
	)	**ORDER APPROVING**
AES HUNTINGTON BEACH, LLC	)	**the Extension of the License**

On March 2, 2010, AES Huntington Beach, LLC filed a petition with the California Energy Commission (Energy Commission) to extend the expiration date of the Energy Commission Decision for the Huntington Beach Modernization Power Plant Project from September 30, 2011 to December 31, 2020. The 450 megawatt project, which was certified under an expedited process in 2001, is located in the City of Huntington Beach, in Orange County, California.

STAFF RECOMMENDATION

The 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. Staff recommends approval of AES Huntington Beach, LLC's petition to extend the expiration date of the Energy Commission Decision until September 30, 2016. Staff further recommends that the license be extended to December 31, 2020 ifthe project owner submits an AFC for this site by June 30, 2012, and provided that the AFC is deemed data adequate no later than December 31, 2012 pursuant to Title 20, California Code of Regulations, Section 1704 (c).

ENERGY COMMISSION FINDINGS

As mandated by Title 20, section 1769(a)(3) of the California Code of Regulations, the Energy Commission may only approve project modifications if specific findings are met. Following staff's review of the proposed amendment, Energy Commission staff recommends approval based on the following findings:

- There will be no new or additional unmitigated significant environmental impacts associated with the proposed changes.
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;
- The change would be beneficial to the public and project owner in that it would enable AES to continue operating Units 3 and 4 providing energy as needed, while it plans for, permits, finances and constructs replacement infrastructure that does not rely on the existing once-through cooling system.

- There has been a substantial change in circumstances with regard to OTC power plant operations since the Commission certification justifying the extension of AES's certification date. The change is based on information that was not available to the parties prior to Energy Commission certification.

CONCLUSION AND ORDER

The California Energy Commission hereby adopts staff's recommendations and approves AES, LLC's Petition to Amend. The Commission's Final Decision is hereby amended to extend the operation of Units 3 and 4 at the Huntington Beach Generating Station for a period of five years to expire on September 30, 2016. The license to operate the facility in accordance with the Commission Decision shall be extended under the following condition:

On or before June 30, 2012, an AFC to replace the Huntington Beach Generating Station at its current site shall be submitted to the California Energy Commission by the project owner, and must be deemed data adequate pursuant to Title 20, California Code of Regulations, Section 1704 (c) no later than December 31, 2012. If the AFC is submitted and deemed data adequate as specified above, then the license shall be extended to December 31, 2020. If an AFC is not submitted, or, an AFC is submitted but not deemed data adequate by December 31, 2012, this license extension shall terminate on September 30, 2016.

Commission staff will continue to provide adequate monitoring of all conditions and measures set forth in the final decision required to mitigate potential impacts and to assure that the facility is operated in compliance with the conditions of certification as set forth in the Commission's Final Decision.

IT IS SO ORDERED.

Date:

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

KAREN DOUGLAS,
Chairman