Email: West of Devers Upgrade Project EIR/EIS Team

From: Randy <randy@cramember.com>
Sent: Monday, May 12, 2014 4:32 PM
To: West Of Devers Project
Subject: West of Devers Upgrade Project

Dear sirs

Cherry Valley Lakes Resort located at 36805 Brookside Ave. Beaumont Ca. 92236 is a camping resort located within the project.

We have no objection to the new proposed project as long as it does not adversely affect our current RV storage location. We have stored RV's in this location for over 10 years and it is an integral part of our business.

Randy Wright

Southern California Gas Company

A Sempra Energy utility®

Anthony A. Klecha
Principal Environmental Specialist

Southern California Gas Company
Sempra Energy utilities
GT17E2
555 Fifth Street
Los Angeles, Ca. 90013
Tel: (213) 244-4339
Fax: (323) 518-2324

June 4, 2014 Sent via Email

Billy Blanchard
CPUC Project Manager
c/o: Aspen Environmental Group
235 Montgomery Street # 935
San Francisco, CA 94104-3003

Re: Notice of Preparation for a Joint Environmental Impact Report/Environmental Impact Statement for the West of Devers Upgrade Project, Riverside and San Bernardino Counties

Dear Mr. Blanchard:

Southern California Gas Company (SoCalGas) appreciates the opportunity to review and comment on the subject Notice of Preparation (NOP) for a Joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the West of Devers Upgrade Project. SoCalGas understands that Southern California Edison (SCE) proposes to remove and upgrade transmission lines; upgrade substations, substation equipment, and electric distribution lines; and install telecommunication lines in Riverside and San Bernardino counties.

The West of Devers Project alignment crosses over two dozen SoCalGas distribution pipelines and at least three natural gas transmission pipelines. SoCalGas Transmission Lines identified within the West of Devers Project alignment and associated substations include: 1) SoCalGas Pipeline #6909, a 24-inch natural gas transmission pipeline that runs along East San Bernardino Avenue and ties into the west side of SCE's San Bernardino Substation; 2) SoCalGas Pipeline #2001, a 30-inch natural gas transmission pipeline that transverses Segment 5 of the West Devers Project, east of Hathaway Avenue within the City of Banning and the Morongo Reservation in Riverside County; and 3) SoCalGas Pipeline #6916, a 16-inch natural gas transmission pipeline that crosses Segment 6 of the West of Devers Project, approximately 2.6 miles west of Devers Substation.

SoCalGas respectfully requests that the following comments be incorporated into the Draft EIR/EIS:

- SoCalGas recommends that the project proponent call Underground Service Alert at 811 at least two business days prior to performing any excavation work. Underground Service Alert will coordinate with SoCalGas and other utility owners in the area to mark the locations of buried utility-owned lines.

- Should it be determined that the proposed project may require SoCalGas to abandon and/or relocate any portion of its existing natural gas lines in the project area, the potential impacts associated with this work should be appropriately considered and addressed under the Draft EIR/EIS.

Once again, we appreciate the opportunity to comment on the NOP. If you have any questions, please feel free to contact me at (213) 244-4339 or aklecha@semprautilities.com.

Sincerely,

Anthony A. Klecha
Principal Environmental Specialist
Southern California Gas Company

cc: Rosalyn Squires (SoCalGas)
Shelly Long (SoCalGas)

SAN GORGONIO FARMS, INC.
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Redondo Beach, CA 90277
(310) 316-7337 Fax: (310) 316-7013
WhitewaterWind@aol.com

Whitewater Development Corporation
Energy Development & Construction Corporation
Whitewater Energy Corporation
Wind Energy Partnership, a CA L.P.
Whitewater Maintenance Corporation

c/o San Gorgonio Farms, Inc.
707 Esplanade
Suite #C
Redondo Beach, CA 90277-4634

TO: Billie Blanchard (CPUC Project Manager) / Brian Paul (BLM Project Manager)
California Public Utilities Commission & U.S. Bureau of Land Management
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104-3002
Fax and Voicemail: (888) 456-0254
Email: westofdevers@aspeneg.com

June 9, 2014

RE: Southern California Edison's West of Devers Upgrade Project
(Application A.13-10-020, filed October 25, 2013)

On behalf of the listed companies atop of this letter, in reviewing the Notice of Preparation for a Joint Environmental Impact Report/Environmental Impact Statement for the West of Devers Upgrade Project Proposed by Southern California Edison ("SCE") Application No. A.13-10-020, we find that the notice fails to address severe impacts that need to be addressed and also included in the mitigation portion of the EIR.

The effect of curtailing existing power plants, specifically renewable energy projects in the immediate area for a period of years, without reimbursement is a significant impact that needs to be mitigated. This subject needs to be addressed in, we feel, one or all of the EIR topics listed below.

- LAND USE
- SOCIOECONOMICS
- PUBLIC HEALTH AND SAFETY
- PUBLIC SERVICES AND UTILITIES

SCE proposes to allow companies that currently do not reside on the power grid (new generators), to have the capacity to sell their power to the market. Because the lines are now full or overloaded, SCE wants to take existing power lines out of service to upgrade them and curtail existing suppliers. These curtailments will cost existing power plants millions of dollars collectively to provide a benefit to someone else (the new generators).

SCE proposes, without mitigation or reimbursement to existing generators, to stop payments for (and not limited to):

- lost energy
- capacity
- ancillary services
- tax benefits
- other related revenue streams to existing generators.

SCE simply wants to send the generators a curtailment notice to stop generating or reduce generation.

These generators may have:

- debt obligations
- power purchase agreements with minimum delivery requirements
- certain onerous financing structures in place requiring minimum production
- operators who are barely maintaining profitability due to low power prices
- generation entities who have shareholder obligations to maximize profits

These generators are harmed by being asked to curtail or shutdown for the benefit of others.

There is also a negative trickle down effect of being asked to curtail and that results in lower revenues for associated parties. Examples such as maintenance companies relying on generation based payment structures; lower land rent payments to land owners that have turbines located on their property; reduced payments for management and accounting services for those production based structures are a few affected parties.

SCE should be required to compensate affected generators for their lost production. Existing generators do not benefit from the addition of more capacity. Edison and the rate payers benefit from the additional capacity and therefore should reimburse the affected generators for this benefit.

In light of the 2011 CPUC approved risk sharing structures of new power purchase agreements, PG&E has a provision allowing 5% of expected annual generation to be curtailed for economic reasons with generators receiving their full contract price for all curtailed energy (excluding PTC). SCE has a curtailment cap between 50 and 200 hours per year, with compensation and a discounted buyback option for any excess curtailment. The commission already sees a huge issue regarding unpaid curtailment. These above solutions are simply to address economic curtailments.

When we discuss curtailment for the benefit of other projects, FERC states that curtailment cannot be unduly discriminatory or preferential. SCE appears to be allowing their owned generation assets and out of State generation to operate while curtailing the renewable generators located in California. Shutting down generators without compensation in preference to other generators is discriminatory. The West of Devers upgrades are not for system reliability or for maintenance purposes; the upgrades are to allow new generators to interconnect to the system, again curtailment to benefit other generators.

Each West of Devers line is going to be increased by approximately 400% in carrying capacity. Therefore, one completed line could handle the load of all four (4) existing West of Devers lines. SCE should be required to plan construction activities around bringing one line online as soon as possible to be able to carry the load of all of the West of Devers lines. This would significantly reduce or mitigate months or years of curtailments. If the generators are made “whole” and reimbursed for their lost revenues and tax benefits outlined above, this mitigation would still be appropriate to mitigate rate-payer costs (those revenues paid to generators to curtail so they are not harmed).

Renewable generation has a special problem. Once the prime mover is lost (wind, sun, steam, heat) it can never be recovered. Once the wind passes, the sun rays pass by unused, steam is released to avoid excessive pressure; there is no way to store or use that energy source later. Fossil fuel generators however, have the ability to store their fuel source to use later, or in some cases are even paid to ‘stand-by’. Renewable generation is again unfairly damaged compared to other generators when asked to curtail for the benefit of others.

Turning off and on high voltage substations ranging from 12 kV to 115 kV adds a level of risk and safety concern every time we are asked to open and close equipment; not to mention increased labor costs to handle those requests. Shutting down or curtailing older wind generation units too, carry a hazard especially in high winds. Wind turbines and I am sure other generation types are designed to run and stop only in an emergency.

For the reasons above, we request the commission direct SCE to mitigate damages to renewable generators. Generators must be made “whole” with payments made to those companies during times of curtailment or SCE created congestion.

And finally, SCE’s construction schedule should place an extremely high priority on the least amount of curtailment (limited to low renewable generation times of the year (Oct-Feb)) of existing generation and actively devise plans to build the lines in such a way as to achieve little to no curtailment for the benefit of the rate payers and the current power suppliers.

Sincerely,

Bradford W. Adams
Vice President
San Gorgonio Farms, Inc.

PAINTED HILLS WIND DEVELOPERS
638 LINDERO CANYON ROAD, #273
OAK PARK, CALIFORNIA 91377
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June 12, 2014

From: Painted Hills Wind Developers, a California Joint Venture Owner and operator of a 19.25 MW wind project

TO: Billie Blanchard (CPUC Project Manager) / Brian Paul (BLM Project Manager)
California Public Utilities Commission & U.S. Bureau of Land Management
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104-3002
Fax and Voicemail: (888) 456-0254
Email: westofdevers@aspeneg.com

RE: Southern California Edison's West of Devers Upgrade Project
(Application A.13-10-020, filed October 25, 2013)

On behalf Painted Hills Wind Developers, a California joint venture that owns and operates a 19.25 MW wind project which is in Riverside County California and in the vicinity of the Devers substation and that interconnects with Devers as well. We have reviewed the Notice of Preparation for a Joint Environmental Impact Report/Environmental Impact Statement for the West of Devers Upgrade Project Proposed by Southern California Edison ("SCE") Application No. A.13-10-020, and unfortunately we find that the notice fails to address severe impacts that need to be addressed and also included in the mitigation portion of the EIR.

The effect of curtailing existing power plants, specifically renewable energy projects in the immediate area for a period of years, without reimbursement is a significant impact that needs to be mitigated. This subject needs to be addressed in, we feel, one or all of the EIR topics listed below.

- LAND USE
- SOCIOECONOMICS
- PUBLIC HEALTH AND SAFETY
- PUBLIC SERVICES AND UTILITIES

SCE proposes to allow companies that currently do not reside on the power grid (new generators), to have the capacity to sell their power to the market. Because the lines are now full or overloaded, SCE wants to take existing power lines out of service to upgrade them and curtail existing suppliers. These curtailments will cost existing power plants millions of dollars collectively to provide a benefit to someone else (the new generators).

SCE proposes, without mitigation or reimbursement to existing generators, to stop payments for (and not limited to):

- lost energy
- capacity
- ancillary services
- tax benefits
- other related revenue streams to existing generators.

SCE simply wants to send the generators a curtailment notice to stop generating or reduce generation.

These generators may have:

- debt obligations
- power purchase agreements with minimum delivery requirements
- certain onerous financing structures in place requiring minimum production
- operators who are barely maintaining profitability due to low power prices
- generation entities who have shareholder obligations to maximize profits

These generators are harmed by being asked to curtail or shutdown for the benefit of others.

There is also a negative trickle down effect of being asked to curtail and that results in lower revenues for associated parties. Examples such as maintenance companies relying on generation based payment structures; lower land rent payments to land owners that have turbines located on their property; reduced payments for management and accounting services for those production based structures are a few affected parties.

SCE should be required to compensate affected generators for their lost production. Existing generators do not benefit from the addition of more capacity. Edison and the rate-payers benefit from the additional capacity and therefore should reimburse the affected generators for this benefit. *The costs of curtailment are an inherent cost of this transmission project, and should not be absorbed by the independent generators who will be curtailed.*

In light of the 2011 CPUC approved risk sharing structures of new power purchase agreements, PG&E has a provision allowing 5% of expected annual generation to be curtailed for economic reasons with generators receiving their full contract price for all curtailed energy (excluding PTC). SCE has a curtailment cap between 50 and 200 hours per year, with compensation and a discounted buyback option for any excess curtailment. The commission already sees a huge issue regarding unpaid curtailment. These above solutions are simply to address economic curtailments.

When we discuss curtailment for the benefit of other projects, FERC states that curtailment cannot be unduly discriminatory or preferential. Shutting down generators <u>without compensation</u> in preference to other generators is discriminatory. The West of Devers upgrades are not for system reliability or for maintenance purposes; the upgrades are to allow new generators to interconnect to the system. Existing generators already have paid substantial costs for their interconnection facilities, and continue to be charged significant interconnection related charges. These generators are entitled to receive the benefit of their bargain, and should be able to deliver energy to customers using the interconnection facilities and transmission access that they have paid significant sums of money to have access to.

Each West of Devers line is going to be increased by approximately 400% in carrying capacity. Therefore, one completed line could handle the load of all four (4) existing West of Devers lines. SCE should be required to plan construction activities around bringing one line online as soon as possible to be able to carry the load of all of the West of Devers lines. This would significantly reduce or mitigate months or years of curtailments. If the generators are made "whole" and reimbursed for their lost revenues and tax benefits outlined above, this mitigation would still be appropriate to mitigate rate-payer costs (those revenues paid to generators to curtail so they are not harmed).

Turning off and on high voltage substations ranging from 12 kV to 115 kV adds a level of risk and safety concern every time we are asked to open and close equipment; not to mention increased labor costs to handle those requests. Shutting down or curtailing older wind generation units too, carry a hazard especially in high winds. Wind turbines and I am sure other generation types are designed to run and stop only in an emergency.

For the reasons above, we request the commission direct SCE to mitigate damages to renewable generators. Generators must be made "whole" with payments made to those companies during times of curtailment or SCE created congestion.

And finally, SCE's construction schedule should place an extremely high priority on the least amount of curtailment (limited to low renewable generation times of the year (Oct-Feb)) of existing generation and actively devise plans to build the lines in such a way as to achieve little to no curtailment for the benefit of the rate payers and the current power suppliers.

Thank you for your review and attention to these comments.

Brian Halloran,

Painted Hills Wind Developers, JV

DESERT WIND ENERGY ASSOCIATION
2045 E. Tahquitz Canyon Way
Palm Springs, CA 92262

TO: Billie Blanchard (CPUC Project Manager) / Brian Paul (BLM Project Manager)
California Public Utilities Commission & U.S. Bureau of Land Management
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
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June 12, 2014

RE: Southern California Edison's West of Devers Upgrade Project
(Application A.13-10-020, filed October 25, 2013)

The comments herein are made on behalf of the Desert Wind Energy Association. In reviewing the Notice of Preparation for a Joint Environmental Impact Report/Environmental Impact Statement for the West of Devers Upgrade Project Proposed by Southern California Edison ("SCE") Application No. A.13-10-020, we find that the notice fails to address severe impacts that can be easily mitigated by amendment to the construction plan.

The Coachella Valley wind energy projects, now consisting of over 500MW of installed capacity, exist pursuant to established policies of the State of California as implemented by The Public Utilities Commission. Local landowners including the undersigned were implored by Edison to build windfarms, as it turned out in an attempt to facilitate the licensing of San Onofre reactor number 2. Thereafter Edison turned on the windfarms and in fact was fined $8,000,000 by your agency for "QF bashing" a label created at the time to define Edison's gorilla war against wind energy.

Now Edison has designed the West of Devers Upgrade Project in a fashion which will unnecessarily curtail these projects with the loss of their nonpolluting energy for a very protracted period of time. The PUC should never allow a project which denies California their clean renewable power as it is inconsistent with its legal duties nor should Edison be allowed to fulfill its long held dream of "getting rid" of the wind projects in the Coachella Valley by bankrupting them with illegal and ill-considered curtailments. The PUC should not be a party to this outrage.

The effect of curtailing existing power plants, specifically renewable energy projects in the immediate area for a period of years, stops hundreds of megawatt hours of clean non- polluting renewable generation for an extended period of time via an ill- considered plan to expand Edison power lines. This subject needs to be addressed in one or all of the EIR topics listed below.

- LAND USE
- SOCIOECONOMICS
- PUBLIC HEALTH AND SAFETY

- PUBLIC SERVICES AND UTILITIES

SCE proposes to allow companies that currently do not reside on the power grid (new generators), to have the capacity to sell their power to the market. Because the lines are now full or overloaded, SCE wants to take existing power lines out of service to upgrade them and curtail existing suppliers. These curtailments will cost existing power plants millions of dollars without any assurance that the new projects will ever be built.

SCE proposes, without mitigation or reimbursement to existing generators, to stop payments for (and not limited to):

- lost energy
- capacity
- ancillary services
- tax benefits
- other related revenue streams to existing generators.

SCE simply wants to send the generators a curtailment notice to stop generating or reduce generation.

These generators may have:

- debt obligations
- power purchase agreements with minimum delivery requirements
- certain onerous financing structures in place requiring minimum production
- operators who are barely maintaining profitability due to low power prices
- generation entities who have shareholder obligations to maximize profits

These generators are harmed by being asked to curtail or shutdown for the benefit of others, with no assurance that the new projects will ever be constructed given environmental and Edison opposition to their development .

There is also a negative trickle down effect of being asked to curtail and that results in lower revenues for associated parties. Examples such as maintenance companies relying on generation based payment structures; lower land rent payments to land owners that have turbines located on their property; reduced payments for management and accounting services for those production based structures are a few affected parties. You should also be mindful of the significant lost tax revenue to local governments.

SCE should be required to so manage its construction project so that there is no curtailment of these valuable clean resources and if any curtailment is in fact allowed, compensate affected generators for their lost production. Existing generators do not benefit from the addition of more capacity. Edison and the rate payers benefit from the additional capacity, if the developers do in fact build future projects, and therefore should reimburse the affected generators for this benefit.

In light of the 2011 CPUC approved risk sharing structures of new power purchase agreements, PG&E has a provision allowing 5% of expected annual generation to be curtailed for <u>economic</u> reasons with generators receiving <u>their full contract price for all curtailed energy</u> (excluding PTC). SCE has a curtailment cap between 50 and 200 hours per year, with compensation and a discounted buyback option for any excess curtailment. The commission already sees a huge issue regarding unpaid curtailment. These above solutions are simply to address <u>economic curtailments, and unfortunately do not consider the carbon issue</u>.

FERC has a firm rule that curtailment and transmission access cannot be unduly discriminatory or preferential. SCE appears to be allowing their owned generation assets and out of State generation to operate while curtailing the renewable generators located in California. This conduct is prohibited by Federal law. Shutting down generators without compensation in preference to other generators is discriminatory. The West of Devers upgrades are not for system reliability or for maintenance purposes; the upgrades are to allow new generators, not all of them renewable, to interconnect to the system, again curtailment to benefit other generators.

Each West of Devers line is going to be increased by approximately 400% in carrying capacity. Therefore, one completed line could handle the load of all four (4) existing West of Devers lines. SCE should be required to plan construction activities around bringing one line online as soon as possible to be able to carry the load of all of the West of Devers lines. This would significantly reduce or mitigate months or years of curtailments. If the generators are made "whole" and reimbursed for their lost revenues and tax benefits outlined above, this mitigation would still be appropriate to mitigate rate-payer costs (those revenues paid to generators to curtail so they are not harmed).

Renewable generation has a special problem. Once the prime mover is lost (wind, sun, steam, heat) it can never be recovered. Once the wind passes, the sun rays pass by unused, steam is released to avoid excessive pressure; there is no way to store or use that energy source later. Fossil fuel generators however, have the ability to store their fuel source to use later, or in some cases are even paid to 'stand-by'. Renewable generation is again unfairly damaged compared to other generators when asked to curtail for the benefit of others.

Turning off and on high voltage substations ranging from 12 kV to 115 kV adds a level of risk and safety concern every time we are asked to open and close equipment; not to mention increased labor costs to handle those requests. Shutting down or curtailing older wind generation units too, carry a hazard especially in high winds. Wind turbines and I am sure other generation types are designed to run and stop only in an emergency.

For the reasons above, we request the commission direct SCE to mitigate damages to renewable generators and avoid the loss of clean renewable power for the citizens of California. Generators and the public must be made whole.

SCE's construction schedule should place an extremely high priority on the least amount of curtailment (limited to low renewable generation times of the year (Oct-Feb)) of existing generation and actively devise plans to build the lines in such a way as to achieve little to no curtailment for the benefit of the rate payers and the current power suppliers. The only way to enforce this policy is to make Edison pay for curtailed energy capacity and other revenue items due the Coachella Valley Wind Projects.

Sincerely,

FW Noble

Frederick W. Noble
Chairman,
Desert Wind Association

June 12, 2014

Billie Blanchard (CPUC Project Manager) / Brian Paul (BLM Project Manager)
California Public Utilities Commission and Bureau of Land Management
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94101-3002

Via E-mail to westofdevers@aspeneg.com

Re: Southern California Edison's West of Devers Upgrade Project (Application A. 13-10-020, filed October 25, 2013)

Dear Ms. Blanchard and Mr. Paul,

In reviewing Southern California Edison's ("SCE") Notice of Preparation for a Joint Environmental Impact Report/Environmental Impact Statement for the West of Devers Upgrade Project Application No. A.13-10-020, BayWa r.e. Wind, LLC ("BayWa") finds that the notice fails to address significant negative impacts that need to be addressed and included in the mitigation portion of the EIR.

This EIR addresses the need for additional transmission capacity in order to serve new renewable energy projects in Imperial County, but there is no discussion in either the Socioeconomic or Public Services and Utilities impacts, any proposed mitigation to existing generators that will be affected by curtailments associated with these proposed upgrades. Curtailing existing generators, especially renewable energy generators in the immediate area, for up to four years, without reimbursement, is a severe impact that needs to be mitigated.

SCE proposes to construct these upgrades to facilitate new renewable generation without regard for impacts to existing renewable and conventional generators' contractual and financial obligations. BayWa's Wagner Wind Project, located in Riverside County, has already suffered significantly from non-reimbursed curtailment orders for upgrades of the Devers Substation since it reached commercial operations in December 2012: It has lost approximately $130,070 in non-reimbursed curtailment requests over 63 separate calendar days, which averages approximately $2,064 per day. The figure above includes $97,000 in revenue lost from our inability to deliver energy as well as $33,070 in lost Production Tax Credit benefits. The Wagner Wind Project delivers its energy to Riverside Public Utilities under a long-term contract with obligations to the utility and its ratepayers. An additional four years of curtailments to benefit new, yet to be constructed, renewable energy facilities at the expense of existing renewable generators such as Wagner Wind is untenable and discriminatory.

BayWa r.e. Wind, LLC | Suite 1470 | 4365 Executive Drive | San Diego, CA 92121
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In addition to compensating generators that will be damaged from curtailment, SCE's construction schedule should place extremely high priority on minimizing the curtailments during peak energy producing times.

This can be accomplished by scheduling the bulk of the work requiring generators to turn off during the low wind production months of the year, which are approximately October through February. SCE has long-term operations data and knowledge from a number of long-term operating wind assets in the Coachella Valley that it can use to plan its construction schedule. In addition, it is our understanding that the capacity of the new line is expected to increase over the line's current capacity by 400%. Therefore, one completed line could handle the load of the four existing West of Devers lines. SCE should be required to plan construction activities around bringing one line online as soon as possible to be able to carry the load of all the existing lines. This would significantly mitigate months or years of curtailments.

We understand the benefit of these upgrades, however these upgrades cannot come without compensation to generators that have been in service and will continue to be in service providing California with renewable energy.

Sincerely,

Kate Valentine
Assistant Project Manager – Development
BayWa r.e. Wind, LLC
4365 Executive Drive, Suite 1470
San Diego, CA 92121

ENERGY UNLIMITED, INC.

June 12, 2014

Billie Blanchard (CPUC Project Manager) / Brian Paul (BLM Project Manager)
California Public Utilities Commission & U.S. Bureau of Land Management
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104-3002
Email: westofdevers@aspeneg.com

Re: Southern California Edison's West of Devers Upgrade Project
(Application A.13-10-020, filed October 25, 2013)

This letter is written on behalf of Energy Unlimited, Inc., ("EUI") and its affiliate, EUI Management PH, INC ("EUIM") who have operated a 25 MW wind power generator facility since 1985 located in the San Gorgonio Pass located about two miles west of the Southern California Edison Company ("SCE") Devers substation. Power from this facility is delivered to the Venwind substation which interconnects with the Devers substation. EUI is providing comments in connection with the Notice of Preparation for a Joint Environmental Impact Report/Environmental Impact Statement for the West of Devers Upgrade Project Proposed by Southern California Edison ("SCE") Application No. A.13-10-020 ("Subject Notice").

REIMBURSEMENT FOR CURTAILMENT LOSSES

EUI has reviewed the Subject Notice and unfortunately we find that it fails to address severe impacts that need to be addressed and also included in the mitigation portion of the EIR.

Specifically, the Subject Notice fails to address the reimbursement for costs and damages resulting from curtailing existing renewable energy projects in the immediate area for a period of years. A plan to mitigate curtailment related losses needs to be incorporated into the overall project plan.

During the past several years, EUI has directly experienced with increasing frequency the impacts of curtailment to its wind generation assets. Turning off and on high voltage substations creates a safety concern every time we are asked to open and close equipment. In addition to increasing operations labor costs, shutting down or curtailing older wind turbines is hazardous especially in high winds, when such uncustomary outages can seriously damage operating equipment.

When curtailment occurs on windy days, our project will loose production revenue. EUI will never recover this revenue as we are not able to store power we do not sell. Additionally, curtailment can increase the cost of power required to restart wind turbines which otherwise would be generating power. Uncompensated curtailment in the spring and summer months when production and pricing are highest can have a devastating impact on our project's ability to fund operations, especially when energy rates are low.

Looking forward, new power contracts which EUI is seeking to obtain, contain output performance requirements and penalties for underperformance. To the extent curtailment triggers penalties under these contracts, generators should be made whole for any such losses.

To mitigate the impact of curtailment, SCE should be required to compensate affected generators for their lost production and other curtailment-related damages. As existing generators like EUI do not benefit from the addition of more capacity which would result from the subject project, basic fairness would suggest that they should be reimbursed for losses resulting from the subject project by those who benefit from the additional capacity.

For the reasons above, we request the commission to direct SCE to mitigate damages to renewable generators resulting from curtailment.

CONSTRUCTION SCHEDULE MITIAGATION

In addition to the above reimbursement mitigation, the construction schedule for the subject project should place an extremely high priority on limiting curtailment to periods of low renewable generation times of the year (Oct-Feb) and actively devise plans to minimize curtailment for the benefit of the ratepayers and the current power suppliers.

Thank you for your review and attention to these comments.

Sincerely,

David S. Lamm, Esq.

David S. Lamm, Esq.
EUI President
EUIM Vice President