

September 12, 2012

HAND DELIVERED

Donna Skau
Commission Secretary
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701

RE: Docket No. 12-09_____. Application Of Crescent Peak Renewables, LLC For Authority Under The Provisions Of The Utility Environmental Protection Act For A Permit To Construct A Wind-Powered Electric Generating Facility.

Dear Ms. Skau:

Accompanying this letter, for filing with the Public Utilities Commission of Nevada (the "Commission") and pursuant to the Nevada Utility Environmental Protection Act, is the Application of Crescent Peak Renewables, LLC for authority and a permit to construct a wind-powered electric generating facility in Clark County, Nevada. Also enclosed is a Draft Notice for the Application and a check for \$200.00 for the filing fee.

Please contact me at 775-684-6015 if you have any questions or require additional information.

Very truly yours,


Jacqueline Bryant Rombardo
for HOLLAND & HART LLP

JBR:taw
Enclosures
cc: Parties of Record

Holland & Hart LLP Attorneys at Law

Phone (775) 684-6000 Fax (775) 684-6001 www.hollandhart.com

777 East William Street, Suite 200 Carson City, Nevada 89701

Aspen Billings Boise Boulder Carson City Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C.

2012 SEP 12 PM 6:21

PUBLIC UTILITIES COMMISSION OF NEVADA
DRAFT NOTICE
(Applications, Tariff Filings, Complaints, and Petitions)

Pursuant to Nevada Administrative Code (“NAC”) 703.162, the Commission requires that a draft notice be included with all applications, tariff filings, complaints and petitions. Please complete and include **ONE COPY** of this form with your filing. (Completion of this form may require the use of more than one page.)

A title that generally describes the relief requested (see NAC 703.160(5)(a)):

Application of Crescent Peak Renewables, LLC for authority under the provisions of the Utility Environmental Protection Act for a permit to construct the Crescent Peak Wind Project, a wind-powered electric generating facility, to be located in Clark County, Nevada.

The name of the applicant, complainant, petitioner or the name of the agent for the applicant, complainant or petitioner (see NAC 703.160(5)(b)):

Crescent Peak Renewables, LLC

A brief description of the purpose of the filing or proceeding, including, without limitation, a clear and concise introductory statement that summarizes the relief requested or the type of proceeding scheduled **AND** the effect of the relief or proceeding upon consumers (see NAC 703.160(5)(c)):

See Public Notice of Application at Exhibit D of the Application.

A statement indicating whether a consumer session is required to be held pursuant to Nevada Revised Statute (“NRS”) 704.069(1)¹:

N/A

If the draft notice pertains to a tariff filing, please include the tariff number **AND** the section number(s) or schedule number(s) being revised.

N/A

¹ NRS 704.069 states in pertinent part:

1. The Commission shall conduct a consumer session to solicit comments from the public in any matter pending before the Commission pursuant to NRS 704.061 to 704.110 inclusive, in which:
 - (a) A public utility has filed a general rate application, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale or an application to clear its deferred accounts; and
 - (b) The changes proposed in the application will result in an increase in annual gross operating revenue, as certified by the applicant, in an amount that will exceed \$50,000 or 10 percent of the applicant’s annual gross operating revenue, whichever is less.



Jacqueline Bryant Rombardo
Phone (775) 684-6015
jbrambardo@hollandhart.com
76321.0003

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Application of Crescent Peak Renewables, LLC)
for authority under the provisions of the)
Utility Environmental Protection Act for a permit)
to construct a wind-powered electric generating)
facility located in Clark County, Nevada.)

Dkt. 12-09 _____

**INITIAL APPLICATION OF CRESCENT PEAK RENEWABLES, LLC FOR
AUTHORITY UNDER THE PROVISIONS OF THE UTILITY ENVIRONMENTAL
PROTECTION ACT FOR A PERMIT TO CONSTRUCT
A WIND-POWERED ELECTRIC GENERATING FACILITY
LOCATED IN CLARK COUNTY, NEVADA**

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Exhibit A	Site Location Map
Exhibit B	Regional Map
Exhibit C	Legal Descriptions
Exhibit D	Public Notice and Affidavits of Publication
Exhibit E	Certificate of Service

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Application of Crescent Peak Renewables, LLC)
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AUTHORITY UNDER THE PROVISIONS OF THE UTILITY ENVIRONMENTAL
PROTECTION ACT FOR A PERMIT TO CONSTRUCT A
WIND-POWERED ELECTRIC GENERATING FACILITY
LOCATED IN CLARK COUNTY, NEVADA**

Crescent Peak Renewables, LLC (“Applicant”), hereby submits to the Public Utilities Commission of Nevada (“Commission”) its initial application for a permit to construct a wind-powered electric generating facility under the Utility Environmental Protection Act (“Application”). The Application is made pursuant to Sections 704.820 to 704.900 of the Nevada Revised Statutes and Sections 703.415 to 703.427 of the Nevada Administrative Code.

In support of the Application, the Applicant hereby submits the following information and evidence.

INTRODUCTION

Applicant is proposing to construct, operate and maintain a new wind-powered electric generating facility (“Proposed Facility”) located on federal land managed by the U.S. Bureau of Land Management (“BLM”) under lease to the Applicant, in Clark County, Nevada. The Applicant is seeking a right-of-way on 37,740 acres, of which approximately less than four percent will be disturbed for the project. The Facility expects to interconnect to existing transmission with a 115 to 230 kV overhead transmission line and new substation/switchyard. The purpose of the Proposed Facility is to produce up to 500 megawatts (“MW”) of clean, renewable energy to meet the growing demand for renewable energy in Nevada.

Section 704.870(2)(a) of the Nevada Revised Statutes (“NRS”) provides that Applicant must submit an initial application with the Commission if a federal agency is conducting an environmental analysis of the proposed utility facility. The BLM is currently conducting a

1 thorough environmental analysis on the Proposed Facility. Upon its final environmental
2 determination, Applicant will file its amended application with the Commission within thirty
3 (30) days, as required by NRS 704.870(2)(b).

4 **INFORMATION REGARDING THE APPLICANT**

5 The Applicant is a Delaware limited liability company and is qualified to do business in
6 Nevada. The Applicant's corporate headquarters and principal place of business is 150 La
7 Terraza Blvd., Escondido, CA 92025. The Applicant is a wholly-owned subsidiary of Oak Creek
8 Energy Systems, Inc., a California corporation.

9 All communications or correspondence regarding the Application should be addressed or
10 directed to the following:

11 Ken Grismore
12 Crescent Peak Renewables, LLC
13 150 La Terraza Blvd.
14 Escondido, CA 92025
15 Telephone: (760) 975-0910
16 Email: ken@oces.com
17
18 and

19 Jacqueline Bryant Rombardo
20 Holland & Hart LLP
21 777 E. William Street, Suite 200
22 Carson City, Nevada 89701
23 Telephone: (775) 684-6000
24 Email: jbrombardo@hollandhart.com

25 **RESPONSES TO REQUIRED DISCLOSURES**

26 The information required by NAC 703.421 is provided as follows.

- 27 1. NAC 703.421(1). A general description of the location of the proposed utility
28 facility.

Applicant is proposing to construct, operate and maintain a wind-powered electric
generating facility and associated transmission facilities on federal land managed by the BLM in
Clark County, Nevada, in the vicinity of Searchlight, Nevada. A map of the Proposed Facility's
location is attached hereto as Exhibit A.

- a. **NAC 703.421(1)(a). A regional map that identifies the location of the
proposed utility facility.**

A regional map of the Proposed Facility is attached hereto as Exhibit B.

1 four percent (4%) of the requested right-of-way. Large areas of open, undeveloped land will exist
2 between individual turbines. This space is necessary for the free flow of wind, which results in efficient,
3 safe, long-term operation of the wind turbine generators.

4 **b. NAC 703.421(2)(b). The natural resources that will be used during the**
5 **construction and operation of the proposed utility facility.**

6 The Applicant anticipates minimal use of natural resources during construction. The Applicant
7 will use small amounts of trucked water for dust control during road construction and for concrete mixing
8 in the batch plant(s) during construction. Minimal water will be required during operations, since no
9 water is required to actually generate or cool the power facilities. The only other natural resources the
10 Applicant anticipates using are those natural resources incorporated into construction materials, (e.g.,
11 steel and sand/gravel).

12 3. NAC 703.421(3). A summary of any studies which the applicant anticipates will
13 be made of the environmental impact of the proposed utility facility as required
14 by subsection 2 of NRS 704.870, including a copy of all corresponding studies
15 filed with appropriate federal agencies.

16 Development of the proposed facility will require acquisition of a right-of-way from the BLM
17 pursuant to the Federal Land Policy Management Act ("FLPMA"). The BLM, the lead agency, will
18 complete an environmental analysis to assess potential environmental implications of issuing a right-of-
19 way for the proposed facility under the National Environmental Policy Act ("NEPA"). 42 U.S.C. § 4231
20 et seq. Prior to issuing a right-of-way, the BLM must first complete the NEPA process and determine
21 whether an Environmental Impact Statement ("EIS") is required. Once a Record of Decision ("ROD") is
22 issued, the right-of-way grant can be issued, subject to conditions as may be identified in the ROD.

23 A number of site-specific studies will be conducted as part of the environmental analysis. These
24 studies, and data acquired from government agencies and resource databases, will be incorporated into the
25 environmental analysis. These resource studies include the following:

- 26 • Biological Resources: Existing literature and resource databases will be reviewed and appropriate
27 field surveys will be conducted for wildlife and botanical resources. Avian and bat surveys
28 meeting U.S. Fish and Wildlife Service ("FWS") land-based wind guidelines and BLM policy
will be completed.

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- Threatened and Endangered Species: Surveys for threatened or endangered species potentially occurring within the project area will be conducted. The BLM will initiate formal consultation with the FWS, pursuant to Section 7 of the Endangered Species Act, as necessary.
 - Cultural Resources: The BLM is required to demonstrate compliance with Section 106 of the National Historic Preservation Act. Class III cultural resource surveys will be conducted. Compliance will require concurrence by the Nevada State Historic Preservation Officer (“SHPO”). In addition, the BLM will consult with potentially affected Native American Tribes.
 - Visual Resources: A visual analysis will be conducted using identified known observation points (“KOP”) and visual simulations of the proposed facilities.
 - Additional studies will be incorporated into the EIS to provide a broad basis for decision maker consideration include the following:
 - Soil Resources
 - Water Resources
 - Land Use and Recreation
 - Socioeconomic
 - Hazardous Materials and Solid Wastes
 - Air Quality
 - Traffic and Transportation
 - Geology and Minerals
 - 4. NAC 703.421(4). Copy of the public notice of the application and proof of the publication of the public notice.

A copy of the public notice of the application and proof of publication of the public notice is attached hereto as Exhibit D.
 - 5. NAC 703.421(5). Proof of service to the Nevada State Clearinghouse.

A copy of the proof of service to the Nevada State Clearinghouse is attached hereto as Exhibit E.

CONCLUSION

Applicant respectfully requests that the Commission notice this filing as the initial application, as required by NRS 704.870(2)(a) and NRS 704.870(5). At such time as Applicant files its amended application pursuant to NRS 704.870(2)(b), Applicant will request the

////

1 Commission further process Applicant's application and issue a permit to construct for the
2 Project.

3 DATED and respectfully submitted this 12th day of September, 2012.

4 HOLLAND & HART LLP

5
6
7 By: 
8 Jacqueline Bryant Rombaro
9 777 E. William Street, Suite 200
10 Carson City, Nevada 89701
11 Attorney for the Applicant

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Holland & Hart LLP
777 East William Street, Suite 200
Carson City, Nevada 89701

EXHIBITS LIST

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3	Exhibit A	Site Location Map
4	Exhibit B	Regional Map
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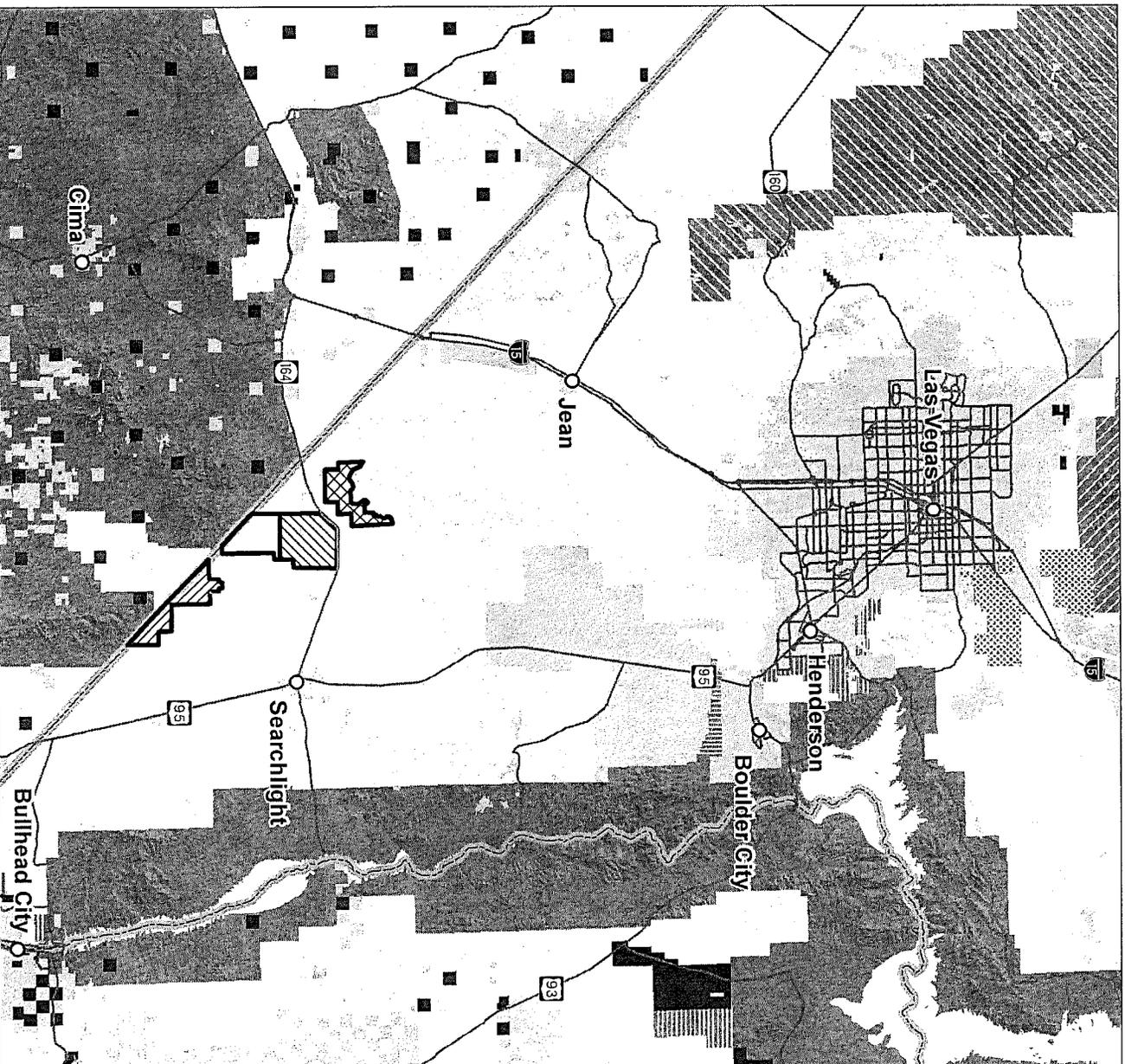
Holland & Hart LLP
777 East William Street, Suite 200
Carson City, Nevada 89701

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Site Location Map

EXHIBIT A

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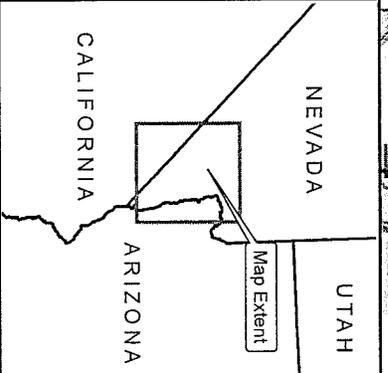
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|---------------------|---------------------------|
| Project Site | Land Status |
| NV-1 | Bureau of Indian Affairs |
| NV-2 | Bureau of Land Management |
| NV-3 | Bureau of Reclamation |
| NV-4 | Department of Defense |
| | Department of Energy |
| | Fish and Wildlife Service |
| | Forest Service |
| | National Park Service |
| | State |
| | Private |



Land status data from Nevada BLM 2007
and California BLM 2009.



SWCA
ENVIRONMENTAL CONSULTANTS

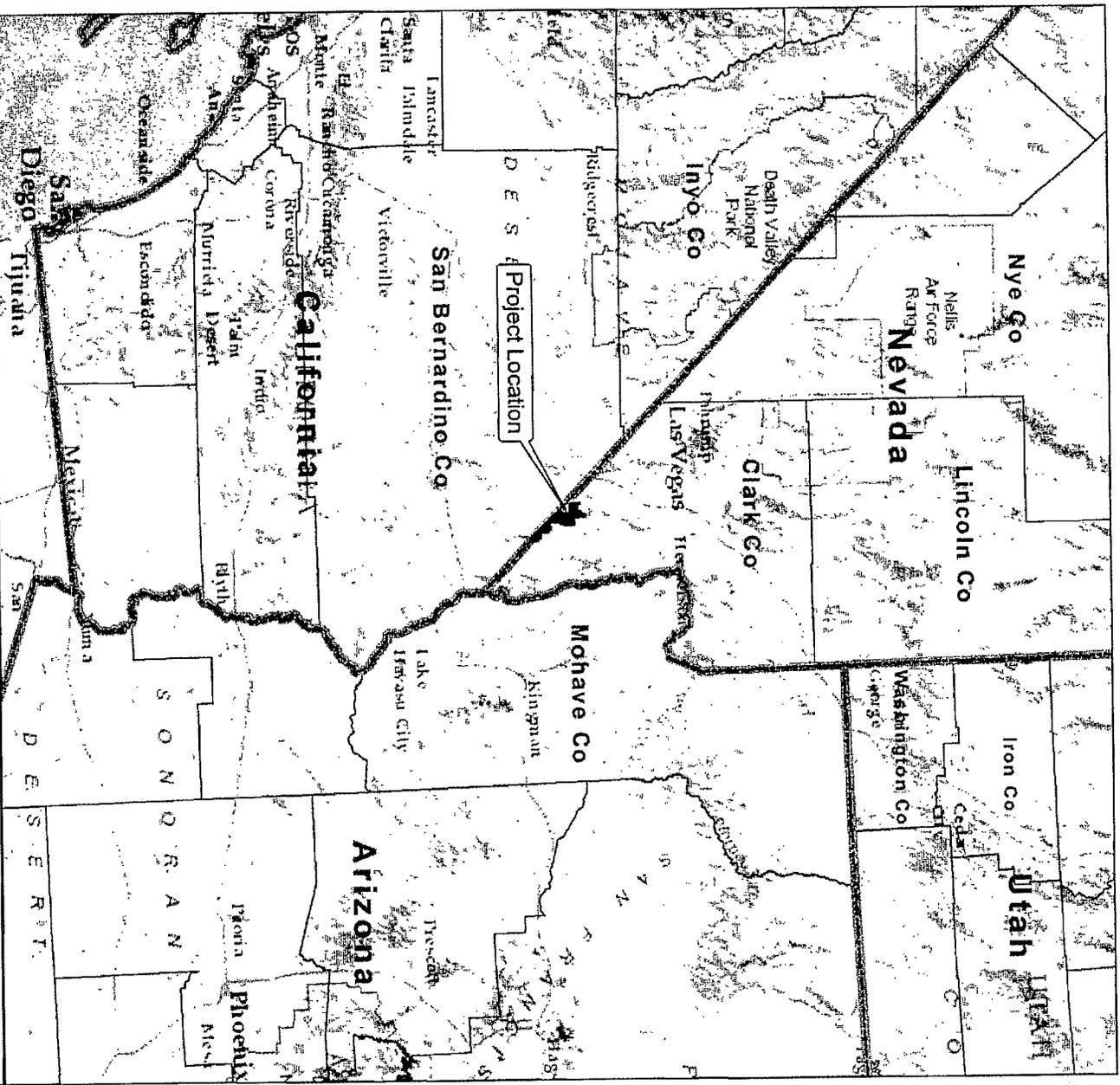


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EXHIBIT B

Regional Map



Crescent Peak Wind Project

 Project Site



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EXHIBIT C

Legal Descriptions

Table C-1. Legal Description for Crescent Peak Wind Project
ROW

Site	Township	Range	Section	Quarter-Quarter
NV-1	28S	62E	17	W1/2 of W1/2
			18	All
			19	All
			20	W1/2 of W1/2
			29	NW1/4 of NW1/4
			30	All
			31	N1/2
				SW1/4
				N1/2 of SE1/4
28S	61E		13	All
			14	All
			15	S1/2 of NE1/4
				SE1/4 of SW1/4
				SE1/4
			21	E1/2 of E1/2
			22	All
			23	All
			24	All
			25	All
			26	All
			27	All
			28	E1/2 of E1/2
			33	E1/2 of E1/2
			34	All
			35	All
36	All			
29S	61E		1	N1/2
				NE1/4 of SW1/4
				N1/2 of SE1/4
			2	N1/2
			3	N1/2
29S	62E		6	W1/2 of NE1/4
				NW1/4
				N1/2 of SW1/4
				NW1/4 of SE1/4

**Table C-1. Legal Description for Crescent Peak Wind Project
ROW (Continued)**

Site	Township	Range	Section	Quarter-Quarter			
NV-3	29S	62E	6	SW1/4			
				W1/2 of SE1/4			
				29S	61E	1	SW1/4 of NW1/4
							S1/2
						2	S1/2 of NE1/4
							S1/2 of NW1/4
							S1/2
						3	S1/2 of NE1/4
							S1/2 of NW1/4
							S1/2
			10	All			
			11	All			
			12	All			
			13	All			
			14	All			
			15	All			
			22	All			
			23	All			
			24	All			
			25	All			
			26	All			

**Table C-1. Legal Description for Crescent Peak Wind Project
ROW (Continued)**

Site	Township	Range	Section	Quarter-Quarter	
NV-4	29S	62E	31	S1/2 of SE1/4	
			32	E1/2 of NE1/4	
				S1/2 of SW1/4	
				NE1/4 of SE1/4	
			33	S1/2 of SE1/4	
				NW1/4 of NE1/4	
				S1/2 of NE1/4	
				NW1/4	
				S1/2	
			34	S1/2 of S1/2	
30S		62E	3	All	
			4	All	
			5	All	
			6	All	
			8	All	
			9	All	
			10	All	
			15	All	
			16	All	
			22	All	
			23	All	
				24	All
				25	All
				26	All
			36	All	
30S		63E	30	All	
			31	All	
31S		63E	6	All	

Table C-2. Legal Description for Facilities and Roads Outside of Wind Project ROW

Component	Township	Range	Section	Quarter-Quarter
Nipton Substation	28S	60E	36	Lot 6
	28S	61E	10	SE1/4 of SW1/4
Staging area	28S	61E	15	NE1/4 of NW1/4
	28S	62E	31	Lot 13
String access road	29S	62E	32	W1/2 of SE1/4
	28S	61E	15	SW1/4 of NW1/4
String access road	28S	61E	16	E1/2 of NE1/4
	28S	61E	9	NE1/4 of NE1/4
String access road	28S	61E	10	NW1/4 of NW1/4
	28S	61E	10	N1/2 of NE1/4
String access road	29S	61E	24	SE1/4 of SE1/4
	29S	62E	19	Lot 4
String access road	29S	62E	19	SE1/4 of SW1/4
	29S	62E	30	N1/2 of NE1/4
Transmission line	29S	62E	32	SW1/4 of SE1/4
	28S	61E	2	SW1/4 of SW1/4
Transmission line	28S	61E	3	SE1/4 of SE1/4
	28S	61E	9	SE1/4 of SE1/4
Transmission line	28S	61E	10	E1/2 of NE1/4
	28S	61E	10	N1/2 of SE1/4
Transmission line	28S	61E	11	SW1/4 of SE1/4
	28S	61E	11	SW1/4 of SW1/4
Transmission line	28S	61E	14	W1/2 of NW1/4
	28S	61E	14	NW1/4 of NW1/4
Transmission line	28S	61E	15	N1/2 of N1/2
	28S	61E	28	N1/2 of SW1/4
Transmission line	28S	61E	28	SE1/4 of SW1/4
	28S	61E	28	SW1/4 of SE1/4
Transmission line	28S	61E	29	SW1/4 of SE1/4
	28S	61E	29	S1/2 of N1/2
Transmission line	28S	61E	29	NE1/4 of SE1/4
	28S	61E	30	S1/2 of NE1/4
Transmission line	28S	61E	30	SE1/4 of NW1/4
	28S	61E	30	NE1/4 of SW1/4
Transmission line	28S	61E	30	Lot 3
	28S	61E	30	Lot 4
Transmission line	28S	61E	33	Lot 4
	28S	61E	33	N1/2 of NE1/4

Table C-2. Legal Description for Facilities and Roads Outside of Wind Project ROW (Continued)

Component	Township	Range	Section	Quarter-Quarter			
Transmission line, continued	28S	60E	25	S1/2 of SE1/4			
				36	Lot 2		
					Lot 6		
					Lot 7		
					Lot 9		
				29S	61E	25	SE1/4 of SE1/4
				29S	62E	30	Lot 4
						31	E1/2 of NW1/4
							Lot 5
							SW1/4 of NE1/4
			W1/2 of SE1/4				

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EXHIBIT D

Public Notice and Affidavits of Publication

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA
NOTICE OF APPLICATION FOR A PERMIT TO CONSTRUCT A UTILITY
FACILITY UNDER THE UTILITY ENVIRONMENTAL PROTECTION ACT**

Crescent Peak Renewables, LLC (the "Applicant") is submitting, pursuant to the Nevada Utility Environmental Protection Act ("UEPA"), its initial application to the Public Utilities Commission of Nevada (the "Commission") for authority and a permit to construct the Crescent Peak Wind Project, a wind-powered electric generating facility, under Nevada Revised Statutes ("NRS") 704.802 to 704.900, and Nevada Administrative Code ("NAC"), Chapter 703.415 to 703.427. The Crescent Peak Wind Project will be located within Clark County in the vicinity of Searchlight, Nevada, on land managed by the U.S. Bureau of Land Management ("BLM"), Southern Nevada District Office, under lease to the Applicant. The Applicant is seeking a right-of-way on 37,740 acres, of which approximately less than four percent will be disturbed for the project.

This Crescent Peak Wind Project is being undertaken to generate up to 500 nominal megawatts (MW) of new electric renewable power to provide reliable electric power consistent with federal and state renewable energy portfolio objectives and will include: up to 220 wind turbine generators, an underground electrical collection system, five substations, an operations and maintenance (O&M) building, and access roads.

The BLM will conduct a thorough environmental analysis of the Crescent Peak Wind Project, pursuant to the National Environmental Policy Act, and analyze the environmental impacts of the scope of the project and make a determination on whether or not to authorize the project and the right-of-way grants.

The contents of the UEPA Application will include, but are not limited to:

1. A general description of the location of the proposed utility facility, including (a) a regional map that identifies the location of the proposed utility facility, (b) any alternative locations for the proposed utility facility, and (c) the reasons why the location is best suited for the proposed utility facility;
2. A general description of the proposed utility facility, including, (a) the size and nature of the proposed utility facility, and (b) the natural resources that will be used during the construction and operation of the proposed utility facility;
3. A summary of any studies which the applicant anticipates will be made of the environmental impact of the proposed utility facility, including a copy of all corresponding studies filed with appropriate federal agencies; and
4. A description of how the utility facility and related transmission facilities will aid in providing customers with reliable service and will serve the public interest.

A copy of the application will be available on the Commission's website following the Applicant's filing of the application. Additional information about the UEPA process and a person's right to participate in that process can be found in Nevada Revised Statutes and Nevada Administrative Code Chapters 703 and 704.

Holland & Hart LLP
777 East William Street, Suite 200
Carson City, Nevada 89701

Certificate of Service

EXHIBIT E

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PROOF OF SERVICE

I hereby certify that on September 12, 2012 pursuant to NRS 704.870.3 and 704.870.4(a), I caused to be served upon the following persons and/or agencies a copy of the Initial Application of Crescent Peak Renewables, LLC for a Permit to Construct a Wind-Powered Electric Generating Facility under the Utility Environmental Protection Act (UEPA).

Nevada State Clearinghouse
Nevada Dept. of Administration
209 E. Musser Street, Room 200
Carson City, NV 89701
clearinghouse@budget.state.nv.us

Tammy Cordova, Staff Counsel
Regulatory Operations Staff
Public Utilities Commission of Nevada
9075 West Diablo Drive, Suite 250
Las Vegas, NV 89148

Eric Witkoski, Chief Deputy Attorney General
Bureau of Consumer Protection
10791 W. Twain Avenue, Suite 100
Las Vegas, NV 89135-3022
bcpserv@ag.nv.gov

Nevada Division of Environmental Protection
901 S. Stewart Street, Suite 4001
Carson City, NV 89701

Clark County Clerk
200 Lewis Avenue
Las Vegas, NV 89155

Nevada Department of Conservation and
Natural Resources
c/o Nevada State Clearinghouse
clearinghouse@budget.state.nv.us


Signature of person serving

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