

BULLEN LAW, LLC
8635 W. Sahara Ave. #454
Las Vegas, NV 89117

Linda M. Bullen
702-279-4040
linda@bullenlaw.com

December 27, 2017

Ms. Trisha Osborne
Assistant Commission Secretary
Public Utilities Commission of Nevada
1150 East William Street
Carson City, Nevada 89701-3109


Re: NOTICE PURSUANT TO THE UTILITY ENVIRONMENTAL PROTECTION
ACT OF AN APPLICATION BY HYDROSTOR A-CAES USA INC. TO A
FEDERAL AGENCY FOR AUTHORIZATION TO CONSTRUCT A
COMPRESSED AIR ENERGY STORAGE FACILITY

Dear Ms. Osborne:

Enclosed for filing please find the Notice Pursuant to the Utility Environmental Protection Act of an Application by Hydrostor A-CAES USA INC. to a Federal Agency for Authorization to Construct a Compressed Air Energy Storage Facility. This Notice is accompanied by payment of the \$200 initial filing fee.

If you have any questions about this filing, please do not hesitate to contact me at (702) 279-4040.

Best Regards,



Linda M. Bullen
Attorney for Hydrostor A-CAES USA INC

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

IN THE MATTER OF:
Notice Pursuant to the Utility Environmental
Protection Act of an Application to a Federal
Agency by Hydrostor A-CAES USA Inc. for a
Permit to Construct a Compressed Air Energy
Storage Facility

Docket No. 17-_____

NOTICE PURSUANT TO THE UTILITY ENVIRONMENTAL PROTECTION ACT OF AN APPLICATION BY HYDROSTOR A-CAES USA INC. TO A FEDERAL AGENCY FOR AUTHORIZATION TO CONSTRUCT A COMPRESSED AIR ENERGY STORAGE FACILITY

I. INTRODUCTION

Pursuant to the Nevada Utility Environmental Protection Act ("UEPA"), and the provisions of Chapter 704 of the Nevada Revised Statutes ("NRS") and Chapter 703 of the Nevada Administrative Code ("NAC"), Hydrostor A-CAES USA Inc. ("Hydrostor") hereby files a Notice with the Public Utilities Commission of Nevada ("Commission") that Hydrostor is filing, contemporaneously with this Notice, an application with a federal agency to allow them to develop a compressed air energy storage facility on federally-owned land under the management of the Bureau of Land Management in White Pine County, Nevada (the "Project").

All correspondence related to this Notice should be sent to the undersigned counsel:

Linda M. Bullen
Bullen Law, LLC
8635 W. Sahara Ave. #454
Las Vegas, Nevada 89117
linda@bullenlaw.com
702-279-4040

The Project may fall within the definition of a "utility facility", as a facility associated with an electric generating plant pursuant to NRS 704.860.1. Because the Project will be located on federal land, and the BLM is required to conduct an environmental analysis for the Project, this Notice is being filed pursuant to NRS 704.870(2)(a). The environmental review will be conducted by the BLM pursuant to the National Environmental Policy Act ("NEPA"), 42 U.S.C. § 4321. No later than 30 days after the issuance of the final environmental document, Hydrostor

1 will file a UEPA Application with the Commission pursuant to NRS 704.870(2)(b). Upon
2 submission of the Application, Hydrostor will seek approval from the Commission for a Permit
3 to Construct ("PTC") the Project.

4 II. INFORMATION REQUIRED BY NAC 703.421

5 The following Notice was prepared pursuant to NRS 704.870.2(a) and NAC 703.421.

- 6 **1. The name, address and telephone number of the person who is filing the application**
7 **with the appropriate federal agency (NAC 703.421.1).**

8 Jon Norman
9 Hydrostor
10 82 Richmond Street East
11 Suite 400
12 Toronto ON MSC 1P1
13 416 548 7880

- 14 **2. The date on which the application was filed with the appropriate federal agency**
15 **(NAC 703.421.2).**

16 The SF 299 for the Project is being filed contemporaneously with this Notice, on
17 December 26, 2017.

- 18 **3. A general description of the location of the proposed utility facility (NAC 703.421.3).**

19 The Project will be located approximately 10 miles from Ely, in rural White Pine
20 County, Nevada on BLM-administered federal land.

- 21 **4. A general description of the proposed utility facility (NAC 703.421.4).**

22 The Project will be an advanced compressed air energy storage ("A-CAES") facility,
23 comprised of an engineered underground chamber for the storage of compressed air which will
24 be converted to electricity on demand, and associated facilities.

- 25 **5. Proof that a copy of the notice has been submitted to the Nevada State**
26 **Clearinghouse within the Department of Conservation and Natural Resources**
27 **(NAC 703.421.5).**

28 A copy of this Notice has been submitted to the Regulatory Operations Staff of the
Commission, the Nevada Attorney General's Bureau of Consumer Protection, Nevada State
Clearinghouse, the Nevada Department of Conservation and Natural Resources - Division of
Environmental Protection, the White Pine County Clerk and others. *See* Certificate of Service

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attached hereto as Exhibit A.

6. Proof that a public notice of this application was given to persons residing in the municipalities entitled to receive notice by the publication of a summary of the application in newspapers published and distributed in the area in which the utility facility is proposed to be located (NRS 704.870(4)(B)).

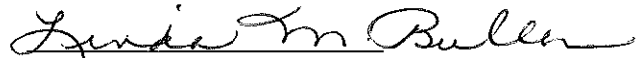
A copy of the Affidavits of Publication of the public notice of this application is attached hereto as Exhibit B. A copy of the draft notice pursuant to NAC 703.162 is attached hereto as Exhibit C.

III. CONCLUSION

Hydrostor will submit its UEPA Application at the conclusion of the federal environmental review process. At that time, it will request that the Commission issue to it a UEPA Permit to Construct the Project pursuant to NRS 704.870(2)(b).

Respectfully submitted on December 27, 2017.

Linda M. Bullen



Bullen Law, LLC

Attorney for Hydrostor A-CAES USA Inc.

EXHIBIT A

CERTIFICATE OF SERVICE

It is hereby certified that on December 27, 2017, a true and correct copy of the Notice Pursuant to the Utility Environmental Protection Act of an Application to a Federal Agency by Hydrostor A-CAES USA Inc. for a Permit to Construct a Compressed Air Energy Storage Facility was served via electronic mail to the following parties:

Public Utilities Commission of Nevada
Staff Counsel Support
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, Nevada 89701-3109

Public Utilities Commission of Nevada
Ms. Tammy Cordova, Staff Counsel
1150 E. William Street
Carson City, Nevada 89701-3109
tcordova@puc.nv.gov

State Clearinghouse
Division of State Lands
Mr. Skip Canfield
901 South Stewart Street, Suite 5003
Carson City, Nevada 89701-5246
nevadaclearinghouse@lands.nv.gov

Nevada Division of Environmental
Protection
Mr. Greg Lovato, Administrator
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
glovato@ndep.nv.gov

DATED: December 27, 2017

Office of the Attorney General
Bureau of Consumer Protection
Attorney General and Consumer Advocate
100 North Carson Street
Carson City, Nevada 89701-4717
bcpserv@ag.nv.gov

Department of Conservation and Natural
Resources
Mr. Bradley Crowell, Director
901 South Stewart Street, Suite 1003
Carson City, Nevada 89701
bcrowell@dcnr.nv.gov

White Pine County Clerk
Ms. Nicole Baldwin
801 Clark Street
Ely, Nevada 89301
wpclerk@whitepinecountynv.gov

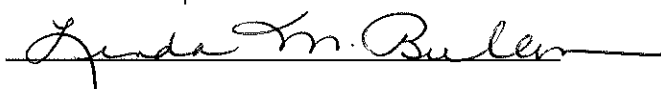


EXHIBIT B

THE ELY TIMES

Box 150820, Ely, Nevada 89315
(775) 289-4491

INVOICE Affidavit of Publication

STATE OF NEVADA)
ELY) s.s.

Linda Cottrell, being first duly sworn, deposes and says:

That she/he is a legal clerk of the ELY TIMES, a newspaper published in the State of Nevada, general circulation in White Pine County of which a copy is hereto attached, was published in said newspaper for the full required period of

1 Issue

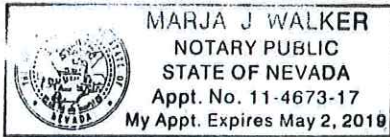
commencing on Dec 22, 2017

and ending on _____
both days inclusive

Signed Linda Cottrell

Subscribed and sworn to before me this 2nd day of Dec, 2017

Marja J Walker
Notary Public



BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

NOTICE PURSUANT TO THE UTILITY ENVIRONMENTAL PROTECTION ACT OF AN APPLICATION TO A FEDERAL AGENCY BY ~~THE~~ HYDROSTOR A-CAES USA INC. TO CONSTRUCT AN ADVANCED COMPRESSED AIR ENERGY STORAGE FACILITY

Hydrostor A-CAES USA Inc. ("Hydrostor") is submitting to the Public Utilities Commission of Nevada (the "Commission"), pursuant to the Utility Environmental Protection Act ("UEPA"), Nevada Revised Statutes Chapter 704, Sections .820 to .900, and Nevada Administrative Code, Chapter 703, Sections .415 to .427, a Notice of An Application to a Federal Agency to Construct an Advanced Compressed Air Energy Storage Facility. The Project will consist of an underground engineered chamber for the storage of compressed air which will be converted to electricity on demand (the "Proposed Facility"). The facility is proposed to be located in White Pine County, Nevada on federally-owned land under the management of the Bureau of Land Management.

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

1. A general description of the location of the Proposed Facility.
2. A general description of the Proposed Facility.
3. Proof that Notice has been submitted to the Nevada State Clearinghouse within the State Department of Conservation and Natural Resources.
4. Proof that a public notice of the Notice was given to persons residing in the municipalities entitled to receive notice by the publication of a summary of the application in a newspaper published and distributed in the area in which the Proposed Facility is proposed to be located.

A copy of the Notice will be available on the Commission's website following its filing by Hydrostor. Additional information about the UEPA process and a person's right to participate in the process can be found in NRS and NAC Chapters 703 and 704.

Publish: *The Ely Times*, Dec 22, 2017

STATEMENT:

Date	Amt.	Cr.	Bal.
<u>12-22-17</u>	<u>8400 p/c</u>		

EXHIBIT C

**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(4)(a)):

NOTICE PURSUANT TO THE UTILITY ENVIRONMENTAL PROTECTION ACT OF AN APPLICATION BY HYDROSTOR A-CAES USA INC. TO A FEDERAL AGENCY FOR AUTHORIZATION TO CONSTRUCT A COMPRESSED AIR ENERGY STORAGE FACILITY

The name of the applicant, complainant, petitioner or the name of the agent for the applicant, complainant or petitioner (*see* NAC 703.160(4)(b)):

**The applicant is Hydrostor A-CAES USA INC. ("Hydrostor").
Linda M. Bullen of Bullen Law, LLC is legal counsel for the applicant.**

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(4)(c)).

Hydrostor is filing a Notice of an Application to a Federal Agency with the Public Utilities Commission of Nevada (the "Commission") for an application with the Bureau of Land Management ("BLM") for a compressed air energy storage facility on BLM-managed public land in White Pine County, Nevada (the "Proposed Facility").

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

A consumer session is not required.

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.

The draft notice does not pertain to a tariff filing.

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.