

Alameda County APWRA Compliance Summary

Company	Turbine Removal Criteria	Relocation Restrictions	Unproductive Turbine/Tower held in Reserve	Source
SeaWest (AES) (non Santa Clara sites ¹)	HRT 7.5-10 sites	HRT sites 7.5-10 and Tier 1,2, & 3	16	Agreement to Terminate Mediation (ATM)
	Tier 1 and 2 sites			Settlement & Conditional Use Permit (CUP) Exhibit G-1
	Tier 3 sites (removed before 2007 HRT rating)			Settlement & CUP Exhibit G-1
EnXco	HRT 8.5-10 sites	HRT sites 8-10 and Tier 1,2, & 3	21	ATM
	Tier 1 and 2 sites			Settlement & CUP Exhibit G-1
	Tier 3 sites (removed before 2007 HRT rating)			Settlement & CUP Exhibit G-1
ESI (FPLE, NextEra)	HRT 8.5-10 sites except for three (3) KVS-33 (400 kW capacity) exchanged for six (6) 56-100 turbines²	HRT sites 8-10 and Tier 1,2, & 3 (no new sites or replacement to sites with exceptions)	118	ATM

	<p>Tier 1 and 2 sites with exceptions granted for credit - thirteen (13) Tier 1 and twenty five (25) Tier 2. Co. will continue to remove Tier 1 and 2 turbines through attrition. ³</p>			<p>Settlement & CUP Exhibit G-1, SRC credit (P40)</p>
	<p>Tier 3 sites except for sixty-five (65) turbines in exchange for HRT 8.5-10 removals⁴. (Note: Tier 3 removals were in process when 2007 HRT rating developed.)</p>			<p>Settlement & G-1, including County modification granting exchange on a turbine for turbine basis.</p>

Compliance Obligations.

The companies Seawest (AES), EnXco, and NextEra were audited for compliance on three categories of mitigation; turbine removal criteria (2007 hazardous ranked turbine and June assessment Tier ranked turbines), relocation restrictions, and unproductive turbine allowances.

AES agreed to remove all hazardous ranked turbines (HRT) ranked 7.5 to 10 by 2/28/2009 and Tier ranked turbines 1 and 2 by 2/11/2007 and Tier 3 by 10/31/2008. AES agreed not to relocate turbines to addresses with HRT rankings of 7.5 through 10 and Tier rankings 1 to 3. AES agreed to remove all unproductive turbines except for 16 turbines held in reserve. These turbines were to be removed by February 1st of every year starting in 2009. . Unproductive turbine is a turbine that has 12 consecutive months with no energy production. Turbines at the Santa Clara site are exempt from these Alameda County compliance obligations.¹

EnXco agreed to remove all hazardous ranked turbines (HRT) ranked 8.5 to 10 by 2/28/2009 and Tier ranked turbines 1 and 2 by 2/11/2007 and Tier 3 by 10/31/2008. EnXco agreed not to relocate turbines to addresses with HRT rankings of 8 through 10 and Tier rankings 1 to 3. EnXco agreed to remove all unproductive turbines except for 12 turbines held in reserve. These turbines were to be removed by February 1st of every year starting in 2009.

NextEra agreed to remove all hazardous ranked turbines (HRT) ranked 8.5 to 10 by 2/28/2009 except for three (3) KVS-33 (400 kW capacity) exchanged for six (6) 56-100 turbines². NextEra agreed to remove Tier ranked turbines 1 and 2 by 2/11/2007 with exceptions granted for a credit allowing thirteen Tier 1 and twenty five Tier 2 to remain³. NextEra agreed to remove and Tier 3 by 10/31/2008 except for sixty-five (65) turbines⁴. NextEra agreed not to relocate turbines to addresses with HRT rankings of 8 through 10 and Tier rankings 1 to 3. NextEra agreed to remove all unproductive turbines except for 118 turbines held in reserve. These turbines were to be removed by February 1st of every year starting in 2009.

Method

A turbine database was provided to the county from the Companies which included all relevant turbine information data including HRT, Tier, removal data (specific removal date were sometime not available), relocations, and turbines held in reserve. This turbine data set was vetted and compared to the Mteam's turbine data set. Additionally during site visits turbine data was compared to actual "on the ground" conditions. This turbine data set in combination with site visits was used to audit the companies to confirm that turbine removal and relocation criteria compliance obligations were met.

In order to check for unproductive turbine allowances site visits at 8 randomly picked groups of approximately 50 turbines. These site visits recorded the status of turbines on windy days to indicate functionality. Once potential unproductive turbine were identified there operational status for the previous 12 months was verified by using the MTeam's turbine status data and the companies operation data when needed.

Results

Hazardous Ranked Turbine Removal

Table one shows the total number of ranked HRT addresses and there removal (red) and relocation (yellow) criteria.

Table 1 Total HRT 2007 ranked turbine **Addresses**.

Company	6.99	7	7.5	8	8.5	9	9.5	10	Not Ranked	Total Ranked
AES SeaWest	10	2	6	2	2	0	2	0	607	24
Altamont Winds	61	9	14	18	36	20	9	18	735	185
enXco	30	23	14	10	6	9	5	10	846	107
NextEra	59	9	33	48	51	33	23	27	2172	283
Rank Totals	160	43	67	78	95	62	39	55	4826	599

Table two shows the number of installed turbines and vacant towers at 2007 HRT ranked addresses after removal actions have taken place. Note AEC Santa Clara exception¹ and NextEra exemption².

Table 2 Installed turbines and vacant towers at 2007 HRT addresses.

Company	6.99	7	7.5	8	8.5	9	9.5	10	Not Ranked	Total Ranked
AES SeaWest ¹	10	2	2	2	2	0	0	0	570	18
Altamont Winds	53	9	13	16	34	15	6	8	646	154
enXco	30	22	14	0	0	0	0	0	607	66
NextEra ²	46	8	28	24	1	0	2	0	1533	109
Rank Totals	139	41	57	42	37	15	8	8	3621	347

Table three show vacant towers held in reserve at 2007 HRT addresses.

Table 3 Vacant towers held in reserve at 2007 HRT addresses.

Company	6.99	7	7.5	8	8.5	9	9.5	10	Not Ranked	Grand Total
AES SeaWest	0	0	0	0	0	0	0	0	16	16
enXco	0	0	0	0	0	0	0	0	1	1
NextEra ^{3,4}	0	0	0	0	0	0	0	0	118	118
Grand Total	0	0	0	0	0	0	0	0	135	135

Table four shows turbines that have been relocated to 2007 HRT addresses.

Table 4 Relocated turbines at 2007 HRT addresses.

Company	6.99	7	7.5	8	8.5	9	9.5	10	Not Ranked	Grand Total
AES SeaWest	0	0	0	0	0	0	0	0	0	0
enXco	0	0	0	0	0	0	0	0	0	0
NextEra	3	0	0	0	0	0	0	0	66	69
Grand Total	3	0	0	0	0	0	0	0	66	69

Tier Ranked Turbine Removals

Table five shows the total number of ranked Tier addresses and there removal and relocation criteria (red).

Company			1	2	3	4	5	6	Grand Total
AES SeaWest			0	2	0	22	168	406	598
Altamont Winds			9	19	29	37	223	261	578
enXco			8	14	28	50	171	466	737
NextEra			27	33	92	130	637	766	1685
Tier Total			44	68	149	239	1199	1899	3598

Table six shows the number of installed turbines and vacant towers at 2007 HRT ranked addresses after removal actions have taken place. Note NextEra exemptions ^{3 4}.

Table 6 Installed turbines and vacant towers at Tier ranked addresses.

Company			1	2	3	4	5	6	Grand Total
AES SeaWest			0	0	0	21	155	386	562
Altamont Winds			0	9	26	32	200	243	510
enXco			0	0	0	43	155	451	649
NextEra ^{3 4}			9	18	59	77	409	587	1159
Grand Total			9	27	85	173	919	1667	2880

Table six show vacant towers held in reserve at Tier ranked addresses.

Table 6 Vacant towers held in reserve at Tier ranked HRT addresses.

Company			1	2	3	4	5	6	Not Tiered	Grand Total
AES SeaWest			0	0	0	2	5	9	0	16
enXco			0	0	0	0	1	0	0	1
NextEra			1	1	0	5	34	23	54	118
Grand Total			1	1	7	40	32	54	135	135

Table seven shows turbines that have been relocated to Tier ranked addresses.

Table 7 Relocated turbines at Tier ranked addresses.

Company			1	2	3	4	5	6	Not	Grand Total
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									Tiered	
AES SeaWest			0	0	0	0	0	0	0	0
enXco			0	0	0	0	0	0	0	0
NextEra			0	0	0	6	18	26	19	69
Grand Total			0	0	0	6	18	26	19	69

Turbine Removal Schedule

Table eight shows the compliance schedule for removal for Tier 1 and 2, Tier 3, and HRT and the date of removal completion.

Table 8 compliance schedule for Tier 1 and 2, tier 3, and HRT turbines; with the date of removal completion.

Company			Tier 1 + 2	Tier 3	HRT
removal date obligation			2/11/2007	10/31/2008	2/28/2009
AES SeaWest			10/18/2007	n/a	11/15/2008
enXco			10/8/2007	11/1/2007	2/10/2009
NextEra			10/8/2007	11/1/2007	2/10/2009

Unproductive Turbine Allowances

Eight groups of around 50 turbines were physically visited to check for unproductive status. Out of 440 turbines checked 22 turbines were targeted for secondary confirmation of compliance by checking their operations for the previous 12 months. These turbines were either physically incomplete or were not operational during inspection (inspected in windy conditions). Table nine shows 22 records that were checked for 12 unproductive status. Note Santa Clara exemption and towers held in reserve were not checked.

Compliance Conclusions

AES was compliant in their HRT and Tier removal obligations, number of unproductive turbine held in reserve, and no new unproductive turbines found during inspection. AES was late in removing their Tier 1 and 2 turbines but were on schedule for tier 3 and HRT removals. Note AES Santa Clara exemption¹

EnXco was compliant in their HRT and Tier removal obligations, number of unproductive turbine held in reserve, and no new unproductive turbines found during inspection. EnXco was late in removing their Tier 1 and 2 turbines but were on schedule for tier 3 and HRT removals.

NextEra was compliant in their HRT removals obligations but was not compliant in their Tier removal obligations because two vacant towers were held in reserve at Tier 1 and 2 addresses. NextEra was compliant in the number of unproductive turbine held in reserve, and no new unproductive turbines found during inspection. NextEra was late in removing their Tier 1 and 2 turbines but were on schedule for tier 3 and HRT removals. Note NextEra exemptions²³⁴.

NextEra detected their mistake in keeping 2 vacant towers and Tier ranked addresses and sent a letter the county followed by the removal of those two turbines.