

**CALENDAR ITEM
C44**

A 41
S 19

12/05/12
PRC 4196.1
R. Collins

CONTINUATION OF RENT

LESSEE:

GenOn West, LP
1000 Main Street, Floor 35
Houston, TX 35202

AREA, LAND TYPE, AND LOCATION:

5.74 acres, more or less, of sovereign land in the Pacific Ocean, near Oxnard, offshore of Ormond Beach, Ventura County.

AUTHORIZED USE:

Continued use and maintenance of two existing 14-foot diameter intake and discharge cooling water conduits serving the Ormond Beach power generating station.

LEASE TERM:

14 years, beginning April 24, 2003.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be continued at \$34,731 per year, effective April 24, 2013.

OTHER PERTINENT INFORMATION:

1. Lessee has the right to use the upland adjoining the Lease Premises.
2. On August 19, 2003 the Commission authorized a General Lease – Industrial Use for a 14-year term beginning April 24, 2003 to Reliant Energy Ormond Beach, Inc. (REOB) for the continued use and maintenance of two existing 14-foot diameter intake and discharge cooling water conduits serving the Ormond Beach power generating station. The lease will expire April 23, 2017.

CALENDAR ITEM NO. **C44** (CONT'D)

3. On May 2, 2009 REOB changed its name to RRI Energy, Inc. with no change in management and designated the operator of the power plant as RRI Energy Ormond Beach, Inc. On December 3, 2010 Mirant Corporation merged with and became a subsidiary of RRI Energy, Inc. with the renamed entity becoming GenOn Energy, Inc. With this merger, the name of the operator of the Ormond Beach power plant became GenOn West, LP on December 31, 2010.

4. The staff recommends that the Commission find that the subject continuation of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

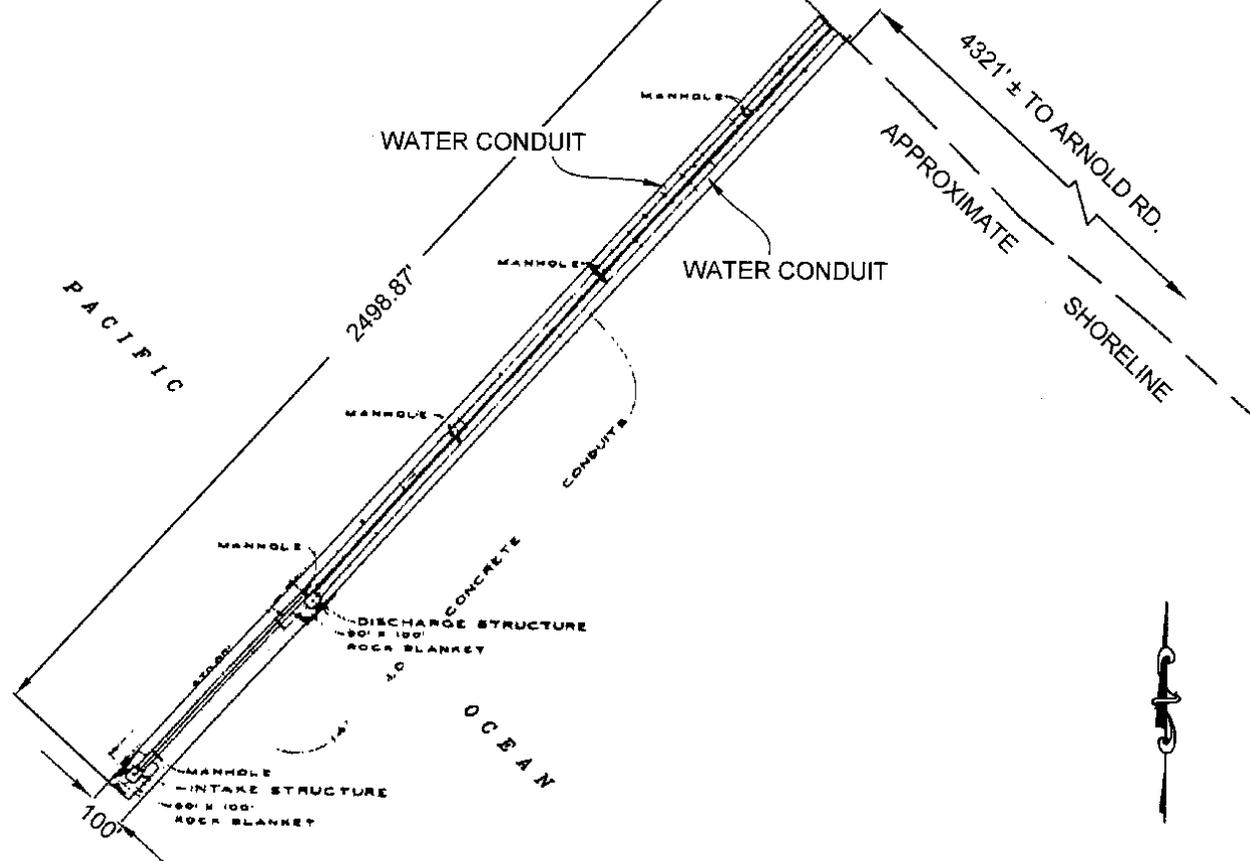
AUTHORIZATION:

Approve the continuation of rent for Lease No. PRC 4196.1 at \$34,731 per year, effective April 24, 2013.

NO SCALE

SITE

APN 231-0-040-280



6635 EDISON DRIVE, ORMAND BEACH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

PRC 4196.1
GENON WEST, LP
APN 231-0-070-07
GENERAL LEASE -
INDUSTRIAL USE
VENTURA COUNTY



MJJ 11/08/12