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OF THE STATE OF CALIFORNIA

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OPENING COMMENTS OF EAGLE CREST ENERGY COMPANY ON ALJ RULING
SEEKING FEEDBACK ON MID-TERM RELIABILITY ANALYSIS
AND PROPOSED PROCUREMENT REQUIREMENTS

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I. INTRODUCTION

Eagle Crest Energy Company (“Eagle Crest”) submits these opening comments in response to Administrative Law Judge Fitch’s February 22, 2021, Ruling Seeking Feedback on Mid-Term Reliability Analysis and Proposed Procurement Requirements (“Proposed Ruling”). Eagle Crest is developing the 1,300 MW Eagle Mountain Pumped Storage Project (“Eagle Mountain”) in eastern Riverside County. If developed, it would convert energy produced by variable renewable resources, such as solar and wind generation, into firm, dispatchable power for up to 18 continuous hours at full output, with minimal and mitigated environmental impacts. As detailed below, the Proposed Ruling continues a pattern of deferring any decision on pumped storage, making the development of such resources increasingly uncertain.

Consistent with the comments it filed in connection with the recent proposed ruling on the 2021-22 transmission planning process (“TPP”) portfolios, Eagle Crest continues to be concerned the State is painting itself into a corner with regard to long-duration storage.¹ The limited procurement horizon that is the subject of the Proposed Ruling does not support the development and construction period required for long-lead, infrastructure-scale projects like...

¹ Opening Comments of Eagle Crest Energy on Portfolios to be Used in the 2021-22 Transmission Planning Process at 1 (“Eagle Crest TPP Comments”), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M350/K953/350953745.PDF.
Eagle Mountain to be developed. Long-lead time resources like pumped storage will not be built in time, particularly if these resources require transmission system upgrades.

The Proposed Ruling rightly focuses on the emergency situation presented by the energy supply insufficiency that underscored the August blackouts. With regard to long-duration storage, the Proposed Ruling takes the important step of seeking to bring on line 1000 MW of long-duration storage by August 1, 2025, a year earlier than the Commission’s modeling deems necessary. But in so doing, the Proposed Ruling falls short by not addressing the possible consequences of directing a procurement mandate that will not result in the resource diversity and more cost-effective options presented by pumped storage and other capital-intensive long-lead long-duration storage projects. As discussed below, the procurement mandate is likely to result only in the development of battery storage. Oddly, while the Commission recognizes the need for substantially more long-duration storage under a 38 MMT carbon reduction target, and has expressed its intention to move in that direction, it chooses to procure here only to meet the 46 MMT target, and thus trades off the potential to maximize economies of scale through larger projects that the State ultimately needs to achieve the greater carbon targets and to diversify the State’s resource portfolio.

The long-duration storage issues Eagle Crest raises here pertain more to what happens after the 2024-26 period that is the subject of the Proposed Ruling. As discussed below, however, the Commission needs to consider in the Proposed Ruling the impacts it may have over the longer term and shape the discussion so as not to compromise the State’s ability to develop the diversified resource portfolio necessary to meet the State’s needs. Below we address Proposed Ruling questions 10-13, all of which bear on long-duration storage generally and pumped storage specifically. Before doing so, Eagle Crest specifically poses two issues. First, why pumped storage should be a critical part of the State’s resource portfolio, and, second, why the Proposed Ruling without something more, makes the development of pumped storage in California exceedingly unlikely.

II. PUMPED STORAGE IS CRITICAL TO MEETING THE STATE’S GHG OBJECTIVES AND ENSURING GRID RELIABILITY

The State’s efforts to decarbonize the energy sector require the deployment of massive amounts of storage to complement and backstop the vast quantities of new intermittent
renewable resources coming on line over the next decade. What form that storage takes, how much of it should be short-duration versus long-duration, whether it is to be skewed toward lithium ion batteries, flow batteries, pumped storage or some other form of mechanical or chemical storage has yet to be answered.

This much, however, is beyond any dispute: pumped storage is the one technology that is in wide deployment, well understood from a cost and operational perspective and a proven reliable grid resource with an operating life akin to hydroelectric dams that spans decades. It is also cost-effective, which under the Commission’s modeling would result in trivial incremental costs to ratepayers while bringing long-term reliability benefits to the grid. These facts alone should make clear the need for additional pumped storage to be integrated into the State’s long-term resource portfolio.

That need has only been underscored by the growing challenges confronting the State from climate change. Wildfires, heat storms across the west last summer and frigid cold across much of the United States this past winter are all consistent with the increased weather extremes and variability long predicted to accompany climate change. The outages both here and more recently in Texas were not caused entirely by these natural phenomenon. In many instances, planning errors contributed to their impacts, which only serves to reinforce the need to get a jump on planning and implementation. In coming years, more variable weather and wildfires will stress the grid in California, and it will be increasingly important to ensure the State has sufficient proven resources to manage these risks.

2 See World Resources Institute, The Role of Long-Duration Energy Storage in Deep Decarbonization: Policy Considerations at 9-10 (September 2020) (in 2019 US had energy storage equivalent to nearly 25 GW of rated power of which 91% is pumped storage, almost all of which were built decades ago to help nuclear facilities), available at https://www.wri.org/publication/long-duration-energy-storage-deep-decarbonization; see also Sandia National Laboratories, Issue Brief Long-Duration Energy Storage at 6 (January 2021) (pumped hydro characterized as mature technology, demonstrated large capacity, good reliability and >90% of US grid energy storage), available at https://www.sandia.gov/ess-ssl/global-energy-storage-database-home/.

3 Eagle detailed this analysis in its prior filings regarding the RSP. See Comments of Eagle Crest Energy in Response to ALJ’s Ruling Seeking Comment on Proposed Reference System Portfolio and Related Actions at 7 (filed December 17, 2019), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M322/K150/322150548.PDF; Reply Comments on Portfolios to be Used in the 2021-22 Transmission Planning Process at 3 (filed November 20, 2020), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M351/K623/351623095.PDF. In these filings, Eagle Crest demonstrated that pumped storage is economic, particularly when considering the risk hedging such resources provide.
Battery energy storage systems (“BESS”) have made enormous strides with a high degree of technological maturity, but relying too heavily on them may pose serious risks. Batteries have never been deployed on the scale contemplated by the Commission’s Reference System Plan (“RSP”) under the current 46 MMT GHG scenario, let alone under the 38 MMT scenario that is also under consideration. Other technologies, such as flow batteries and various mechanical storage technologies under development, hold promise, but they have yet to be deployed on a utility scale, if at all, and therefore lack a track record that provides confidence that they can meet the challenges ahead.

Pumped storage is precisely the opposite. It is well understood and proven reliable. Given the challenges facing California, it can and should play an essential role to provide diversification and reliability to the grid. In addition it can bring to that portfolio truly long-duration storage. The Commission RSP defines long-duration as storage of eight hours or longer. The Commission’s modeling does not ascribe significant value to longer duration storage, partly as a result of limitations of the RESOLVE model, which cannot model storage beyond a 24 hour charge/discharge period.4

Yet, there is a growing appreciation that the system needs greater resource diversity, including storage of longer duration, a point specifically noted in the Proposed Ruling.5 The recognition of the declining ELCC for batteries at higher levels of deployment is a reflection of this conclusion.6 The impact of wildfires adversely impacting solar generation output due to smoke-cover is also illustrative of the need for and value of long-duration storage, and not just

4 The recently released 2021 SB 100 Joint Agency Report notes:
As configured for this study, RESOLVE optimizes only storage resources within each modeled 24-hour day, so as long duration storage resources cannot be optimized across days and are thus not fully valued by the model. Tool development is underway to better evaluate the benefits of and compare types of long-duration storage in RESOLVE. See Report at 66, available at https://www.energy.ca.gov/sb100#anchor_report. The report notes that in 2020 the CEC awarded grants to develop the tools needed to assess the need for long-duration storage, but the results will not be available for a year. See generally https://www.energy.ca.gov/solicitations/2020-01/gfo-19-308-assessing-long-duration-energy-storage-deployment-scenarios-meet.

5 Proposed Ruling at 17 (“Longstanding concerns about resource diversity also suggest the need to be more specific about the types of resources that should be procured to meet the capacity needs identified in this ruling.”)

for an 8-hour period, but for longer periods, like the 36-hour charge/discharge cycle that Eagle Mountain would bring to the grid if developed.

What that means is a project like Eagle Mountain would bring not only the capability to generate 1300 MW continuously for an 18-hour period, but also the ability to generate lower amounts across multiple days. To put this in more concrete terms, the 18-hours of full output translates to 72 hours – three days – at 325 MW of output. The state’s resource portfolio need not have all its storage possess such long duration, but it ought to have some storage that does given the challenges of climate change and other issues facing California. The State should not pass up the opportunity to develop pumped storage.

III. ON ITS CURRENT TRAJECTORY, THE IRP PROCESS IS UNLIKELY TO RESULT IN THE DEVELOPMENT OF PUMPED STORAGE RESOURCES

The Commission’s modeling efforts recognize the need for long-duration storage. To that end, the current RSP calls for the procurement of roughly 1000 MW of long-duration storage under the 46 MMT GHG case and 1600 MW under the more aggressive 38 MMT case that the Commission is still considering. The RESOLVE modeling done by the Commission indicates that this capacity will be needed by 2026. The Proposed Ruling embraces this finding and accelerates the procurement deadline by a year to August 1, 2025.

Over the course of past IRP cycles, the Commission has acknowledged that the development of pumped storage and other long-lead projects face particular challenges to development warranting Commission attention. Those challenges stem in part from the large amounts of capital required coupled with lengthy permitting and development periods.

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7 See D.20-03-028 at 41 & 46 (filed April 6, 2020) (RSP to include 973 MW or 1605 MW of pumped storage/long-duration storage by 2026 under the 46 MMT and 38 MMT cases, respectively), available at https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M331/K772/331772681.PDF. Based on updated IEPR data, at least for transmission planning purposes, the Commission reduced the amount of long-duration storage figure under the 46 MMT case to 627 MW. See D.21-02-008 at 21, available at https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M366/K426/366426300.PDF. Commission staff modeling assumptions underlying the decision indicate that the amount of long-duration storage required under the 38 MMT would increase to 1843 MW based on that same updated data. See Modeling Assumptions for the 2021-2022 Transmission Planning Process, at 10 &12 (filed January 7, 2021), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M359/K000/359000745.PDF.

8 Proposed Ruling at 16-17.

9 See D.18-02-018, at 71 & 166 (filed February 13, 2018) (Commission should continue to evaluate the need for long lead-time resources, including pumped hydro storage in subsequent IRP cycles), available at https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M209/K771/209771632.PDF.
Procurement issues are a further complication. Traditional project finance models are ill-suited to pumped storage projects and similar capital intensive projects. When the State’s three major IOUs served the majority of the State’s load, it was easier for them to act collectively to enter into long term contracts that could finance the development of major projects. That is much less true today given the explosion of community choice aggregators (“CCA”), the majority of which are not yet credit-rated. It is difficult to imagine the CCAs collectively procuring a pumped storage project, let alone a 1300 MW project like Eagle Mountain, particularly in light of the limited long-duration storage the Commission has to date indicated the State needs.\(^\text{10}\)

In recognition of these challenges, the Commission indicated in the order initiating ratemaking (“OIR”) for this IRP cycle that it would identify options for a procurement framework of long-lead-time and/or large-scale resources, possibly including additional analysis on specific resource types.\(^\text{11}\) To that end, the OIR provided the ALJ should seek comment on “a procurement framework for long-lead-time and/or large-scale resources, and possibly include procurement direction as a result of analysis of specific resource types” by the end of last year.\(^\text{12}\) A subsequent scoping ruling pushed this discussion off until the second quarter of 2021.\(^\text{13}\) Unfortunately, given the heavy demands of the IRP proceeding, this discussion has not yet occurred and does not appear likely to happen in the immediate future, leaving the opportunities for long-lead-time and large-scale resources like Eagle Mountain uncertain.

The Proposed Ruling only adds to that uncertainty. It recognizes that if long-duration storage is to be deployed by 2026, procurement must commence very soon, especially if the 1000 MW contemplated is to be in service by August 1, 2025. The short timeframe afforded by the Proposed Ruling is a nonstarter for pumped storage and likely also for any other long-duration storage that is a long-lead-time or large-scale resource. Even Eagle Mountain, which is

\(^{10}\) While the RSP currently adopts the 46 MMT-driven 1000 MW of long-duration storage, statements by the Commissioners at the February 11 business meeting suggest they will be moving to the 38 MMT case in the near future, which will increase the procurement need for long-duration storage significantly. See Webcast of February 11, 2021 Voting Meeting beginning at 2:10:55, available at http://www.adminmonitor.com/ca/cpuc/voting_meeting/20210211/.

\(^{11}\) Order Instituting Ratemaking to Continue Electric Integrated Resource Planning and Related Procurement, R.20-05-003, at 13 (filed May 14, 2020), available at https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M337/K641/337641522.PDF.

\(^{12}\) Id.

\(^{13}\) Assigned Commissioner’s Scoping Memo and Ruling at 8 & 12 (“Scoping Ruling”) (filed September 24, 2020), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M347/K608/347608446.PDF.
fully licensed, would have a difficult time meeting the original 2026 modeled deadline were it possible to overcome the current procurement/project finance dead-end in which the project finds itself without a procurement counterparty.

Consequently, the only storage projects likely to meet the Proposed Ruling’s procurement mandate are almost certainly going to use lithium ion batteries scaled to provide the 8-hour minimum duration necessary to meet the long-duration storage definition currently employed by the Commission. Effectively, the Commission has preordained BESS projects to fill this need. While the Proposed Ruling, by its terms, is only intended to address 2024-2026, its impact will reach well beyond this period. The RSP currently only contemplates the procurement of 1000 MW of long-duration storage through 2030, meaning the Proposed Ruling effectively fully subscribes the need, leaving no “need” for further procurement.

The Commission appears inclined to eventually adopt the 2030 38 MMT GHG objective, which under the Commission’s most recent modeling indicates a need for 1600-1800 MW of long-duration storage. But when will the Commission take that decision? Will there be sufficient time left for long-lead projects like Eagle Mountain to meet that procurement deadline? And will the Commission have taken up the decision of whether it will provide procurement direction for specific resource types to address the procurement challenges facing projects like Eagle Mountain?

These are not academic questions. Eagle Crest recognizes the extraordinary challenges the Commission has confronted over the past few years, but time has continued to pass and the path forward for projects like Eagle Mountain is looking increasingly bleak as the deadline to commence construction set out in its FERC license approaches. Against that backdrop, the Commission needs to make clear what its intentions are – does it want pumped storage as a viable option or is it agnostic on the issue?

Earlier this year, the Commission indicated it was disinclined to pick a specific long-duration technology for procurement purposes; in the same decision it noted it did not have a preference “for pumped hydro projects over other types of long-duration storage projects or technologies.” Given the current state of play, however, without some statement by the

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14 See, supra, n. 7.
15 Currently, Eagle Crest’s FERC license will expire if construction does not commence in 2024.
16 See D.21-02-008 at 19 & 23, available at https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M366/K426/366426300.PDF
Commission about its intentions with regard to pumped storage and other truly long-duration storage (i.e. storage that is significantly longer than just 8 hours), the IRP proceeding seems unlikely to result in the development of such projects. LSEs will simply meet their long-duration procurement obligation with 8-hour batteries. If that is not the Commission’s desired outcome, it needs to consider taking affirmative steps to head off such an outcome.

One such step might be to recognize that the IRP process may be the wrong means by which to place long-lead time or large-scale resources in service. It may be that the development and procurement challenges discussed above simply make their development by way of the IRP impossible. Instead, as some have noted, perhaps pumped storage projects should be treated as infrastructure and, like other major infrastructure projects, be undertaken by the State. The State Water Project never would have been constructed if left to the State’s water utilities to develop. So too, it would seem, with pumped storage and other long-lead-time and large-scale resources. This is an issue the Commission should consider to avoid the risk of failing to place in service necessary infrastructure.

IV. EAGLE CREST RESPONSES TO QUESTIONS POSED IN THE RULING

10. The process of identifying resource types and amounts that are cost-effective, and can potentially fulfill a procurement need, but have market or other barriers to procurement, is explored in Section 6.5.4 of the Procurement Framework Staff Proposal. Comment on the approach described in this ruling, with reference to the Staff Proposal and/or other approaches you recommend.

The Procurement Framework Staff Proposal is an ambitious document, providing a thoughtful discussion and recognition that the Commission may have to order procurement to complement the procurement by LSEs that already occurs in response to the planning track activities of IRP. Section 6.5.4 rightly notes the potential need to procure large, long-lead-time resources like pumped storage and identifies several options by which the Commission might order procurement of such resources in the future. The Proposed Ruling, however, does

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17 See World Resources Institute, The Role of Long-Duration Energy Storage in Deep Decarbonization: Policy Considerations at 18 (“it may become more appropriate to consider long-duration storage as an infrastructure investment rather than a capital venture based on return on investment”), available at https://www.wri.org/publication/long-duration-energy-storage-deep-decarbonization.

18 See the Procurement Framework Staff Proposal at A-5 (filed on November 18, 2020), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M351/K577/3515777337.PDF.
not take up either of the approaches detailed in this section of the Staff Proposal. For reasons no doubt driven by the limited time afforded between now and August 2025, the Proposed Ruling does little to explore how to overcome the challenges confronting the development of long-lead-time projects like pumped storage. Indeed, as detailed in the prior discussion, it likely forecloses such development.

That said, Eagle Crest recognizes the important midterm need addressed in the Ruling for longer duration storage, even if that procurement is quite likely, if not certain, to result entirely in the procurement of projects that employ BESS technology. While this aspect of the Proposed Ruling may address the need identified in the Commission’s modeling, it does not advance the objectives identified in Section 6.5.4 of the Staff Proposal.

It is worth taking note of the discussion in section 6.3.3 of the same document, which states, “if the state’s resource portfolio becomes skewed heavily towards a few resource types, the CPUC may seek to increase resource diversity as a risk hedging mechanism.” For the reasons noted above, that is a problem created by the timing concerns that underlie the Proposed Ruling. As discussed, at this point in time, BESS projects are likely the only viable option given the compressed timeframe for procurement, construction and deployment. The Commission should, however, consider how it will introduce resource diversity that appears increasingly unlikely to occur otherwise. As noted, given the current state of play, the best solution may simply be to find a way for the State to step in on behalf of all ratepayers in order to procure resources that will bring resource diversification. The ALJ and Assigned Commissioner need not express a view on such an approach in the Proposed Ruling, but they should provide some elucidation on whether a proven and widely-deployed resource like pumped storage has a future in the State.

11. Comment on whether the suggested amount of geothermal and/or long-duration storage resources should be required to be procured as part of the mid-term procurement requirements.

Eagle Crest is unable to assess what the consequences would be to ratepayers if the Commission did not require the 1000 MW of long-duration storage as part of the mid-term procurement requirements. For the reasons discussed above, Eagle Crest would have preferred that the Commission had addressed the development and procurement challenges for long-lead-

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\[19 \text{ Id. at A-38.}\]
time and large-scale resources so that projects like Eagle Mountain might have been a potential resource to fill the Proposed Ruling’s procurement mandate. Given the Commission’s modeling, however, the State needs to make long-duration storage decisions now if it hopes to have such resources in service by 2026, when the modeling suggests it is needed. Against that backdrop, Eagle Crest cannot say that the 1000 MW of long-duration storage ought not to be procured as part of the mid-term procurement requirements.

Eagle Crest’s larger concern, however, is about what is next. Will this procurement lock the State into further procurements of the same sort because of development time constraints? Will the Commission develop a means by which projects as large as Eagle Mountain can be the subject of procurement when there are so many LSEs, each with so little need relative to the project? Will the time to develop resources like Eagle Mountain have passed, making batteries or technologies that have yet to be commercially proven the only remaining options? These are the broader questions the Commission needs to consider, if not in the Proposed Ruling, then in the immediate term.

12. Describe the risks you see, if any, in relying on specific resource types to fill the proposed procurement need, as well as provide suggestions for how they could be mitigated. For example, there could be some type of identified future juncture where LSEs and/or the Commission could evaluate risks prior to moving forward fully with procurement. As part of this, describe any challenges you see (for example, supply chain issues, siting challenges) that may impact the ability to come online with the timing and amounts proposed.

As discussed above, the Proposed Ruling seems inevitably to lead to the procurement of 8-hour batteries to meet the Commission’s identified long-duration storage need. Given the challenges facing the State, this may be a suboptimal outcome. Over the longer term, the best way to mitigate the overreliance on BESS projects is to develop an approach that specifically includes pumped storage resources like Eagle Mountain or other long-duration storage technology that truly are long-duration. In that vein, at a minimum, the Proposed Ruling should provide some acknowledgment of the importance to diversify the resource portfolio and the

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20 In that vein, Eagle Crest agrees with the Assigned Commissioner’s statement in his scoping ruling last Fall that “[e]valuation of development needs for long-duration storage, out-of-state wind, offshore wind, geothermal resources, and any other resources with long development lead times” would be a top priority in the procurement track of the IRP. Assigned Commissioner Scoping Ruling at 8 (filed September 24, 2020), available at https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M347/K608/347608446.PDF.
Commission’s intention to act on its stated intention to do so as a risk hedging mechanism going forward.

13. Comment on the proposal for all LSEs to engage in joint procurement of geothermal and/or long-duration storage, with the potential for IOUs to be required to backstop such procurement. This suggestion corresponds to Section 7.2.2 of the Procurement Framework Staff Proposal. If you have an alternative proposal, describe it in detail and/or identify whether it is one of the other options included in the Procurement Framework Staff Proposal. In addition, comment on whether identifying need for backstop procurement in 2023 would allow sufficient time to contract for and build these resources by 2025, and, if not, how you would propose to address this timing issue.

The proposal that all LSEs engage in joint procurement of long-duration storage seems unlikely to come to pass – at least not with pumped storage projects like Eagle Mountain – notwithstanding the apparently successful efforts by some CCAs to jointly procure resources. For the reasons noted, pumped storage projects are likely too big and capital intensive for this approach to be the subject of joint procurement. Leaving aside pump storage as a possible subject of joint procurement, having the IOUs backstop this effort is certainly a tested approach. If there is an issue with employing that approach here, however, it is one of timing. The Ruling sets very short timelines to procure the long-duration storage and contemplates the IOUs stepping in as a backstop only if the CCAs have not completed the procurement by August 2023. If they have fail to do so by then, the IOUs will be left with little time to complete the procurement and for the developers to place the resources in service.

V. CONCLUSION

Pumped storage is a proven and cost-effective long-duration storage technology, one the Commission has repeatedly recognized is worthy of its consideration. Despite that, the IRP is driving toward an outcome that will result in a storage resource portfolio that will be heavily skewed toward 4- and 8-hour batteries. The Commission should take steps to avoid that outcome, including starting a dialogue that includes consideration of developing pumped storage resources outside the IRP process. The State is poised to accomplish remarkable goals, but it does so not without risk in a changing environment. Pumped storage provides an important means of hedging those risks. Eagle Crest appreciates the opportunity to provide these initial comments.
Respectfully submitted,

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