

## DOCKETED

<b>Docket Number:</b>	82-AFC-02C
<b>Project Title:</b>	Kern River Cogeneration Application for Certification Compliance
<b>TN #:</b>	213077
<b>Document Title:</b>	Order Amending Certification Decision 12-03-1987
<b>Description:</b>	Commission Order 87-1202-02 Clarifying Energy Commission Jurisdiction over Transmission Tap-line and Substation
<b>Filer:</b>	Raquel Rodriguez
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	8/30/2016 1:46:40 PM
<b>Docketed Date:</b>	8/30/2016

<p><b>DOCKET</b>  <b>82-AFC-2A</b></p>
<p><b>DATE DEC 03 1987</b></p>
<p><b>RECD: DEC 09 1987</b></p>

STATE OF CALIFORNIA  
 State Energy Resources  
 Conservation and Development Commission

In the Matter of: )  
 )  
 Amendment of the Application for )  
 Certification of the Kern River )  
 Cogeneration Company's KERN RIVER )  
 FIELD (OMAR HILL) Cogeneration Project )

Docket No. 82-AFC-2A  
 COMMISSION ORDER AMENDING  
 CERTIFICATION DECISION  
 (82-AFC-2)

The Commission ORDERS that the Certification Decision in Docket No. 82-AFC-2 be Amended to include the following:

I. PROCEDURAL BACKGROUND

Kern River Cogeneration Company (KRCC) is the owner and operator of a cogeneration facility (Omar Hill) constructed pursuant to a Certification Decision issued by the Commission on August 24, 1983 (Docket No. 82-AFC-2). Texaco Producing Inc. (Texaco) constructed, owns and operates a 220/12.47 kV substation (Substation) and a 220 kV tapline (Tapline) connecting the Omar Hill switchyard to the Substation in its Kern River Oil Field.

On June 26, 1985, the Energy Commission Staff (Staff) filed a "Complaint of Noncompliance of Kern River Cogeneration Plant" (Complaint), raising certain issues with respect to the Tapline and Substation, and questioning whether construction of those facilities constituted a violation of KRCC's certification or other wrongful act.

On October 9, 1985, KRCC filed a "Petition to Amend Decision and Request for Order Clarifying Interim Authority to Operate" (Petition).

On January 8, 1986, the Commission issued an Order granting KRCC's request for interim relief and allowing KRCC to serve the Texaco field during the pendency of this dispute. The Order did not amend the underlying certification Decision or rule upon Staff's Complaint. The Commission later assigned the matter to a Committee for consideration of KRCC's Petition, Staff's Complaint and related matters.

On April 21, 1986, the Committee conducted an issue identification hearing.<sup>1</sup>

On May 5, 1986, the Committee issued an Order requiring briefs from all parties. On June 26, 1986, the Committee held a hearing on the issue of interim relief and other matters raised by the parties in their respective briefs.

During the summer of 1986, both parties conducted extensive discovery. On October 15, 1986, the Committee held a public workshop and site visit to assess discovery and other relevant issues. On October 17, 1986, the Committee held a public conference on all matters relating to the Complaint and Petition. On October 22, 1986, KRCC filed a Settlement Offer without waiving any of its rights, arguments or positions. On November 7, 1986, Staff

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1. At the April 21, 1986 hearing, the Committee granted Pacific Gas and Electric Company's (PGandE) request to intervene. PGandE withdrew from the proceedings in October 1986.

filed a Response to KRCC's Settlement Offer and its own Counter-Offer. KRCC responded to Staff's Counter-Offer on December 9, 1986.

On September 24, 1987, the Committee ordered the parties to serve settlement proposals by October 6, 1987, to provide comments by October 13, 1987 and either to execute a final settlement agreement on or before October 20, 1987 or by that date file a statement identifying issues which were not resolved. The parties submitted a joint Stipulation on October 21, 1987. The September 24 Order also noticed a Committee hearing for November 3, 1987.

At the November 3, 1987 hearing, the Committee approved the terms of the Stipulation, with certain modifications agreed to by the parties.

## II. FINDINGS, CONCLUSIONS AND ORDERS

Based upon the Stipulation submitted by the parties, the Committee's recommendation approving the Stipulation, and the entire record in the above-captioned matter, the Commission finds that the issues raised by the Complaint and Petition on file herein have been satisfactorily resolved. Therefore, the Commission finds, concludes, and ORDERS as follows:

### A. Jurisdiction.

1. The Commission has certification jurisdiction over the Tapline and Substation pursuant to the Warren-Alquist Act.
2. KRCC shall not, in connection with this Order, or the studies and mitigation measures undertaken pursuant to and consistent with this Order, litigate or otherwise challenge the Commission's findings and/or conclusions regarding siting jurisdiction contained in this Order. The Commission recognizes that KRCC expressly reserves the

right, in the event the Commission takes actions beyond the scope contained within this Order, to raise any jurisdictional objections it may deem appropriate.

3. Texaco agreed to join the Stipulation as a signatory party, and is hereby deemed to be a party based on the record of the November 3, 1987 proceedings.

B. Compliance with the California Environmental Quality Act.

To ensure that the requirements of CEQA are met, the parties are ORDERED to do the following:

1. KRCC shall perform and pay for necessary biological, cultural, health and safety studies and surveys (Studies and Surveys) to determine the impacts of the Tapline and Substation;
2. The Studies and Surveys shall cover and be conducted in the area within: i) a 100 foot corridor (50 feet on either side of the center line) of the Tapline and; ii) the area within 25 feet of the Substation fenceline (Areas). Attached hereto as Exhibit 'A' is a map depicting the Areas which KRCC shall survey and study.
3. Within four weeks of the date of this Order, the parties shall hold a workshop for the purpose of determining the precise scope of Studies and Surveys and schedules for completing them. KRCC shall perform and pay for a follow-up biological survey of the Areas in the Spring of 1988, specifically to survey for any endangered plant species which might be present during warmer months. The Studies and Surveys shall be completed by July 31, 1988.
4. Once all Studies and Surveys have been completed, KRCC shall submit the results to Staff. After reviewing the results of the Studies and Surveys and after consulting with KRCC, Staff shall determine which of the measures set forth below (Mitigation Measures) are necessary to mitigate the effects of the facilities within the Areas. The choice of appropriate Mitigation Measures shall be completed by September 1, 1988. The Mitigation Measures shall be implemented by September 1, 1989. Staff shall monitor compliance and report the final choice and implementation of Mitigation Measures to the full Commission in accordance with existing compliance monitoring procedures.
5. KRCC shall undertake the Mitigation Measures (chosen from the alternatives listed in paragraph 7 below) as directed by Staff, but in no event shall KRCC be obligated to incur costs and expenses in

excess of \$100,000 excluding the costs of the Studies and Surveys, in carrying out the Mitigation Measures. Expenditure of said \$100,000 on Mitigation Measures shall fully satisfy KRCC's duty to mitigate the impacts of the facility. KRCC shall undertake the Mitigation Measures within the Areas to the extent practicable given the topographical condition of the Areas and the oil field conditions and operations in the Areas. In the event less than the entire \$100,000 is required for the Mitigation Measures, the remaining mitigation shall be accomplished by donating the balance to the kit fox fund established by the Commission's Decision in Docket No. 84-AFC-6.

6. KRCC shall arrange with Texaco for access to the Areas for the Commission staff to inspect the impacts and the Mitigation Measures in the Areas during operation activities of the Texaco Substation. Access will be provided upon reasonable request and at reasonable times as necessary to conduct the necessary inspections in the Areas.
7. With respect to both the initial surveys and the Spring survey, the following is a comprehensive list of the Mitigation Measures that Staff shall select from if Staff finds that any such measure is necessary to avoid significant impacts to endangered species in the Area. The Staff shall choose the Mitigation Measures only from among the following alternative mitigation measures:
  - a. Texaco workers shall be instructed to avoid any endangered plant species identified through the implementation of an education plan similar to the Kern River Cogeneration Project plan. Texaco operation workers shall be educated about the need to avoid intentional or accidental disturbance of all San Joaquin kit fox (kit fox) dens within the Areas. Special focus of such education plan shall be given concerning those endangered plant species identified within the Areas.
  - b. Protection of endangered plant species shall be deemed to mean staking (with metal poles and signs) an area around the endangered plant species found in the Areas that extend at least 10 feet outside the stand to the extent practicable given topographical and existing oil field facility constraints.
  - c. If for any reason any endangered plant species within the Areas must be disturbed, KRCC shall cause the affected stands to be transplanted to another area within the vicinity with suitable habitat. Transplanting of plant stands shall be done in two or more phases to ensure that the transplanting portion has become established prior to transplanting the last part of any existing stand.
  - d. The Substation fill slope area shall be allowed to revegetate naturally and shall be monitored by a qualified biologist. If revegetation does not proceed in a reasonable fashion by the

end of the second year after the Spring biological survey, KRCC shall cause revegetation of the areas with plant species supportive of wildlife.

- e. KRCC and Texaco shall establish a monitoring program for recording worker interactions with the kit fox within the Areas during operation of the substation to ensure that significant impacts to the kit fox do not develop. Any significant adverse impacts to the kit fox or other endangered species in the Areas reported to or observed by KRCC shall be reported to the Staff.
- f. KRCC or Texaco shall report to the Staff all kit fox road kills within the Tapline and Substation areas.
- g. Exclusion zones of 50 feet radius for multiple-opening dens and 25 foot radius for single-opening dens shall be established for all identified kit fox dens within the Areas. These exclusion zones shall be staked off with metal poles and cable and marked with signs. Construction and other new activities physically affecting the habitat within the exclusion zones shall be permitted only with the approval of the Staff. These exclusion zones shall be maintained for the operational life of the Substation.
- h. KRCC shall maintain a map, updated quarterly, showing the location of all sensitive biological resources within the Areas. Signs located at such sensitive biological resources shall contain a phone number to call to obtain authorization for any activity within the protected zone or to report any accidental disturbance in the zone. KRCC's designated biologist shall be notified of all requests or disturbances. The marked sensitive biological resource areas shall be maintained for the life of the Substation.
- i. KRCC shall arrange with Texaco for access to the Areas for the Staff to inspect biological resource impacts and mitigation measures in the Areas during operation activities of the Substation. The access shall be provided upon reasonable request and at times necessary to conduct biological field observations of the Areas.
- j. One year before the Substation and one year before the Tapline are due to be deactivated, KRCC shall submit a decommissioning plan to the Commission which includes biological resource elements within the Areas.

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C. Need

The underlying demand conformance analysis for KRCC's facilities and KRCC's service of the Texaco Oil Field load do not appear inconsistent with the 1983 Biennial Report and 1983 Electricity Report upon which the Certification Decision in Docket No. 82-AFC-2 was based. Moreover, KRCC and Staff have stipulated that KRCC's facilities and service of the field load "are in conformance with the demand conformance requirements of the Warren-Alquist Act." Accordingly, the Commission is aware of no reason to further pursue this matter nor to question the Stipulation submitted by the parties.

D. Other Matters

KRCC expressly acknowledges that Applicants participating in the Commission's siting process are expected to file a full and complete Application stating the specifics of the proposed project. Moreover, KRCC expressly recognizes that should the facts stated in the Application change, the Applicant shall provide any revisions, in writing, to the Commission docket and all interested parties. KRCC has expressed its regret for the misunderstandings and miscommunications which occurred as a result of KRCC not informing the Commission, during the AFC proceedings, in writing or on the record, of the possible construction of the Tapline and Substation.



E. Dismissal of Complaint

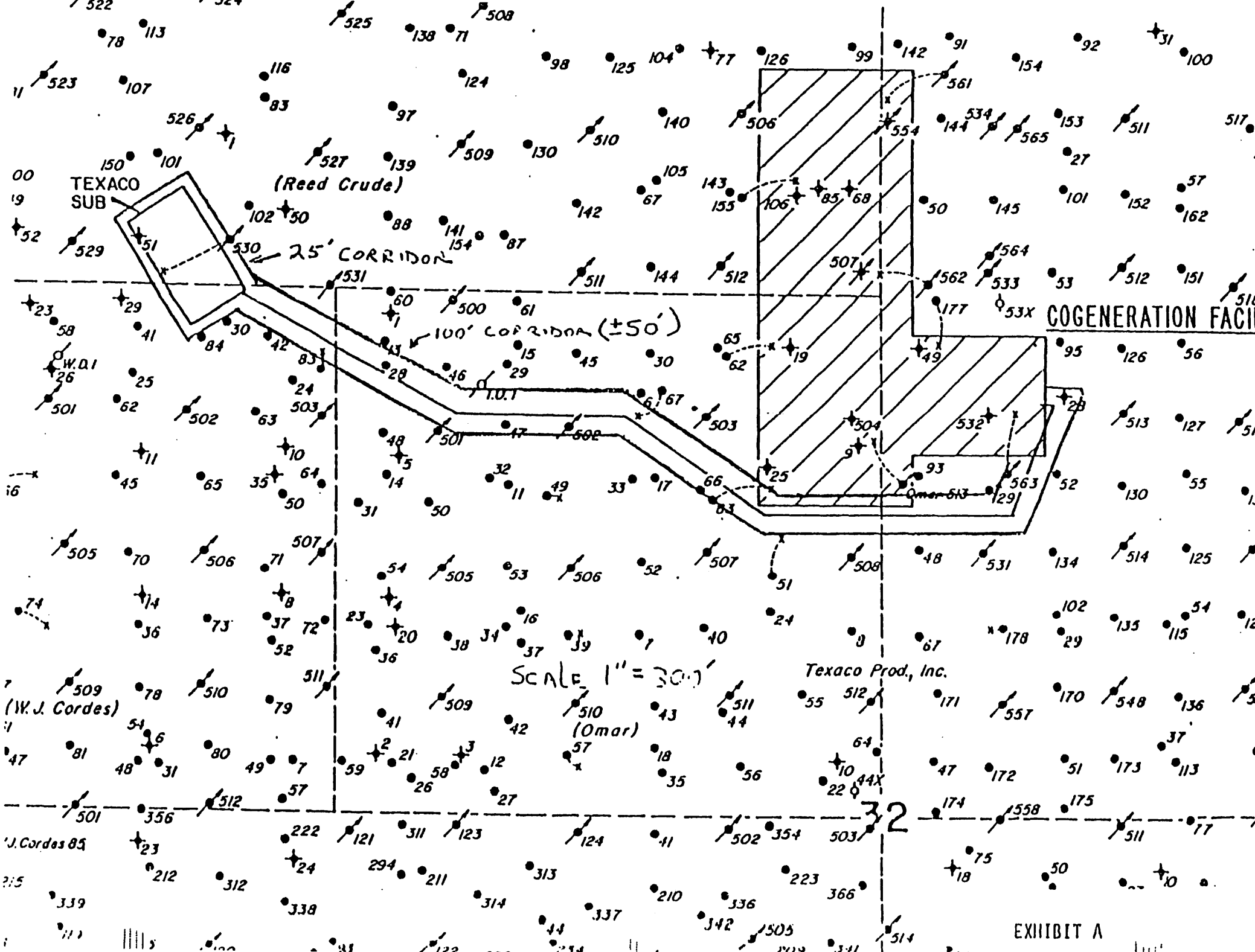
Based upon the Stipulation and the record of these proceedings, the Commission finds and concludes that all issues raised by the Complaint filed by Staff on June 26, 1985 have been resolved. Accordingly, the Complaint of Noncompliance of Kern River Cogeneration Plant filed by the Staff on June 26, 1985 is hereby DISMISSED.

F. Order Granting Petition to Amend Decision

On the basis of the Stipulation and the record of these proceedings, the Petition to Amend Decision filed by KRCC on October 9, 1985 is hereby GRANTED. Accordingly, the Commission's Decision in Docket 82-AFC-2 issued August 24, 1983 is hereby AMENDED to include the Tapline and Substation subject to the Studies and Mitigation Measures referred to herein.

G. Rescission of Interim Order

The Commission Order, granted January 8, 1986, authorizing Texaco and KRCC to energize and use the Tapline and Substation on an interim basis and ordering the parties not to take any action to impair PGandE's ability to continue to provide electrical service to the Kern River Oil Field is hereby RESCINDED by this Order, which



COGENERATION FACIL

TEXACO SUB

(Reed Crude)

25' CORRIDOR

100' CORRIDOR (±50')

SCALE 1" = 30'

Texaco Prod., Inc.

(W.J. Cordes)

(Omar)

EXHIBIT A

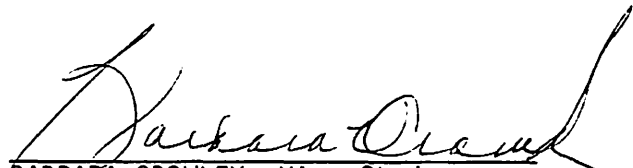
hereby authorizes KRCC to energize and use the Tapline and Substation on a permanent basis.

This action shall not be construed to in any way conflict with regulations or procedures of the California Public Utilities Commission governing the filing of any related documentation by the investor-owned electric utilities.

Dated: 3 Dec 1987


ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION


  
CHARLES R. IMBRECHT, Chairman  
and Presiding Committee Member

  
BARBARA CROWLEY, Vice Chair

-ABSENT-

  
RICHARD BILAS, Commissioner  
and Committee Member

  
ROBERT MUSSETTER, Commissioner

  
WARREN D. NOTEWARE, Commissioner

KRCC - 82-AFC-2A

← Tapline Amendment

87004

200 KV

R246

- CEQA -  
- to do following:

Texaco  
+ J. Max Hill

1-7  
#7 a-j -

reports submitted 2/3/88  
Paleontology Rept. - Dr. David White  
Bio Rep Bus system 9/25/8

if everything's complete -  
what needs to be done?

#5 - mit. measures

← remaining to kit Bx Fund  
84-AFC-6

① 6/85 - Complaint of Non-Compliance'  
CEC

② ~~4/86~~ <sup>KRCC</sup> - Petition of interim A to Construct  
granted 4/86 by CEC

· 12/2/87 - Hearing - Order

· 12/10/87 letter from Dt:

# Memorandum

To : JIM BROWNELL

Date : February 1, 1989

Telephone: ATSS (     )  
(     )

From : California Energy Commission  
1516 Ninth Street  
Sacramento 95814-5512

*Sandi*  
SANDI FLEISCHMANN

Subject : KRCC TAPLINE AMENDMENT -- LETTER DUE TO LICENSEE RE: APPROPRIATE  
MITIGATION MEASURES

On January 26th, Mervyn Soares from KRCC called again inquiring about the status of CEC staff's choice of appropriate biological mitigation measures. I explained to Mervyn that we were in the process of preparing a response and that we would have a decision to him no later than February 10th.

According to the Commission Order granting the tapline amendment, once all studies and surveys have been completed, and the results reviewed by our staff, we shall determine which of the identified mitigation measures are necessary. The choice of appropriate mitigation measures was to be completed by September 1, 1988. The mitigation measures are to be implemented by September 1, 1989.

Since the September 1, 1988 date has passed and the September 1, 1989 date is getting closer I believe that it necessary to make the preparation of the letter a priority item.

On January 9th, I requested from you an estimated date by which you would be able to provide me with a draft letter. On January 12th you responded that you would try to have it to me by January 25th.

Please provide me with a draft letter no later than FRIDAY, February 3, 1989. If you are unable to meet this deadline, please let me know immediately.

cc: M. Schrecongost  
B. Haussler



**COORDINATION SHEET**  
CEC-23

JIM BROWNELL

January 31, 1989

SANDI FLEISCHMANN

**KRCC TAPLINE AMENDMENT -- LETTER DUE TO LICENSEE RE: APPROPRIATE MITIGATION MEASURES**

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Please provide me with a draft letter no later than FRIDAY, February 3, 1989. If you are unable to meet this deadline, please let me know immediately.

cc: M. Schrecongost  
B. Haussler

INITIAL AND DATE

Originator: <i>Sand F</i>	Reviewed by: <i>Mel 1/31/89</i>	<i>AA 1/31/89</i>	Signed by:
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Sandi-

Tried to get the memo to you before I left. Did not get to it, I will try to have it by the 25<sup>th</sup>.

STATE OF CALIFORNIA

OFFICE MEMO  
STD. 100 (REV. 11-75)

JFB  
1-12-89

DATE  
1/9

TO:

Jim Browne ll

ROOM NUMBER

FROM:

Sandi Fleischmann

PHONE NUMBER

SUBJECT:

Kern River - Topline Amendment

What is the status of the letter you were preparing regarding Cond. #5 of the 12/3/87 "Committee Order

Amending the Decision". Specifically, the letter was to identify the next steps KRCC must take regarding biological mitigation.

I received a call from Mervyn Soares at KRCC today and he asked again about the status of the letter.

Please let me know tomorrow (10) if you will be able to provide a draft by Friday 1/13. Thanks.



## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814

December 10, 1987

KRCC AMENDMENT  
82-AFC-2A

Mr. Charles O. Myers  
Executive Director  
Kern River Cogeneration Company  
P.O. Box 78  
Bakersfield, CA 93388

Dear Mr. Myers:

DOCKET

82-AFC-2A

DATE: DEC 10 1987

RECD: DEC 10 1987

In accordance with our discussion at the November 20th workshop, described below are specific tasks to be completed as mitigation for paleontologic and cultural resources which may have been affected by construction of the Kern River Cogeneration Company's (KRCC) Omar Hill Tapline:

- KRCC shall provide the CEC Compliance Project Manager with the name, qualifications, and phone number(s) of its designated paleontologic and cultural resources specialist(s) for review and approval.
- The designated specialist(s) shall immediately complete a paleontologic and cultural resource survey of all areas affected by construction of the tapline, including the tower/pole sites, equipment storage areas, tower/pole laydown sites, conductor pulling sites, and new access and spur roads.
- The designated specialist(s) shall immediately prepare a report on the paleontologic and cultural resources survey methodology, findings, determinations of significance, and conclusions. This report shall be submitted to the CEC Compliance Project Manager for review and approval. Copies of the approved final report shall be filed with the appropriate local repository(ies) of the California Archaeological Inventory and the State Office of Historic Preservation.

The proposed surveys have been discussed by Dr. White, the KRCC Cultural Representative, and Kathy Matthews of the CEC staff. Dr. White indicated that he would be available to complete this work on behalf of KRCC if it can be undertaken immediately. He would be the logical choice to complete this work since he has already done a preliminary survey of the tapline route.

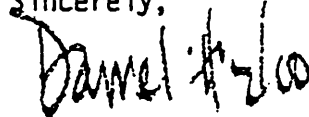
PROOF OF SERVICE (REVISED \_\_\_\_\_) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 12/10/87 *ka*

Charlie O. Myers  
December 10, 1987  
Page 2

I would suggest that the work begin as soon as possible, if this list is amenable to you, because of Dr. White's future unavailability. Kathy Matthews has informed me that if begun immediately, the survey work and report could be completed before the end of the year.

If you have any questions, please do not hesitate to call me at (916) 324-3211.

Sincerely,



DARREL "H" WOO  
Project Manager  
Energy Facility Siting and  
Environmental Protection Division

DHW:lja:SKERR7004



Kern River Cogeneration Company

Box 80478, Bakersfield, CA 93388

(805) 399-2961

Charles Myers, Executive Director

December 3, 1987

KR-2063

Mr. Darrel "H" Woo  
Project Manager  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

DOCKET  
82-AFC-2A

DATE: DEC 03 1987

RECD: DEC 08 1987

Re: WORKSHOP OF NOVEMBER 20, 1987

Dear Mr. Woo:

We appreciated the opportunity to conduct a workshop on the Kern River Cogeneration Company (KRCC) Compliance issue prior to the Commission Hearing scheduled for December 3, 1987. As decided during the Workshop, I am sending this letter to you to document the compliance issues that were decided upon during the November 20th Workshop.

The three main topics discussed were: 1) Transmission Line Safety & Nuisance, 2) Cultural Resources, and 3) Biological Resources.

For Transmission Line Safety & Nuisance, a statement will be submitted by KRCC regarding the compliance with the applicable Laws, Ordinances, and Standards referenced on page A-58 of the Commission Decision on the Kern River Cogeneration Project (Docket No. 82-AFC-2 dated August 1983) for construction of the Tapline.

For Cultural Resources, since Ms. Kathy Matthews was unable to attend the workshop, you were going to submit to me the specific items to be studied and surveyed. It is my understanding that Ms. Matthews has developed specific study(ies) and survey(s) with our Cultural Resource representative, Dr. David White.

For Biological Resources, we discussed six endangered or threatened species. They were: 1) the San Joaquin Kit Fox, 2) the Bakersfield Cactus, 3) Cottony Buckwheat, 4) the Blunt Nosed Leopard Lizard, 5) the San Joaquin Antelope Squirrel, and 6) the Tipton Kangaroo Rat. Three survey times were established to be sure and include all of the species listed above.

An immediate survey would be done approximately December 9, 1987 for San Joaquin Kit Fox, Bakersfield Cactus, Cottony Buckwheat, and the San Joaquin Antelope Squirrel. A Spring survey will also be conducted in May 1988 for the Cottony Buckwheat. The CEC Biological Staff will conduct or cause to be

Page 2  
Thu, Dec 3, 1987

conducted a trapping of the Tipton Kangaroo Rat by the end of May 1988. This trapping may be conducted as early as the December 9, 1987 survey. Since the air temperature must be between 76° and 96°F to survey for the Blunt Nosed Leopard Lizard, a Summer survey will be conducted during the summer of 1988, probably in July.

After completion of the surveys, the CEC Staff will choose the appropriate Mitigation Measures (items 7a. thru 7j. inclusive) contained in the Stipulation. The cost of these Mitigation Measures, immediate and estimated future, will be deducted from the \$100,000 Mitigation allocation. The estimated future costs will be mutually agreed to by the CEC Staff and the Kern River Cogeneration Project. The balance of the Mitigation allocation, if any, will be contributed to the Sycamore Cogeneration Company San Joaquin Kit Fox fund.

If these statements do not agree with your recollection of the agreements made during the November 20th Workshop, please contact me at the letterhead phone number.

Sincerely,



C. O. MYERS  
Executive Director

COM:dmh

cc: Messrs. M. L. Smith  
R. Crooks  
A. M. Fenning  
W. E. Hauhe  
T. O. Hemming  
K. W. Luft  
D. Pearson  
G. M. Thomson  
D. White

*Encl Seal*

PROJECT FILE

STATE OF CALIFORNIA

RECEIVED  
CA ENERGY COMMISSION

State Energy Resources  
Conservation and Development Commission

82 AFC - 2A 09 5

DOCKET UNIT

In the Matter of: )  
 )  
Amendment of the Application for )  
Certification of the Kern River )  
Cogeneration Company's KERN RIVER )  
FIELD (OMAR HILL) Cogeneration )  
Facility )

Docket No. 82-AFC-2A  
  
COMMITTEE RECOMMENDATION  
APPROVING STIPULATION and  
NOTICE OF HEARING

I. COMMITTEE RECOMMENDATION

On August 23, 1983, the Commission issued a Decision Certifying the Kern River Cogeneration Project. On June 26, 1985, the Energy Commission Staff (Staff) filed a "Complaint of Non-Compliance of Kern River Cogeneration Plant," raising issues concerning the construction of a tapline and substation at the project site. On October 9, 1985, Kern River Cogeneration Company (KRCC) filed a "Petition to Amend Decision and Request for Order Clarifying Interim Authority to Operate."

On January 8, 1986, the Commission issued an Order granting KRCC's request for interim authority to operate pending the resolution of these proceedings. The Commission subsequently designated this Committee to conduct hearings on matters related to Staff's Complaint and KRCC's Petition.

The Committee conducted hearings on April 21 and June 26, 1986, a public workshop on October 15, 1986, and a public conference on October 17, 1986. At the October 17 public conference, the Committee directed the parties to submit settlement offers on the disputed issues. The parties exchanged offers in compliance with the Committee's request.

On September 24, 1987, the Committee ordered the parties to serve draft settlement proposals by October 6, 1987, to provide comments by October 13, 1987 and to submit a final settlement agreement by October 20, 1987. On October 21, 1987, the parties filed an executed Stipulation which addresses all outstanding issues in this matter.

On November 3, 1987, the Committee conducted a hearing to allow the parties to present testimony in support of the Stipulation. Based on the parties' presentations at the hearing and modifications agreed to on the record of proceedings, the Committee finds and concludes that all remaining issues in this matter have been satisfactorily resolved by the Stipulation. The Committee therefore recommends that the Commission adopt the Proposed Order which is based upon the Stipulation, as modified at the November 3, 1987 hearing. The Proposed Order dismisses Staff's June 26, 1985 Complaint and

grants KRCC's October 9, 1985 Petition to Amend the Certification Decision in Docket No. 82-AFC-2.

## II. NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the full Commission will conduct a public hearing in the above-entitled matter as follows:

WEDNESDAY, December 2, 1987  
as part of its regularly scheduled business meeting  
beginning at 10:00 a.m.  
California Energy Commission  
First Floor Hearing Room A  
1516 Ninth Street,  
Sacramento, California 95814

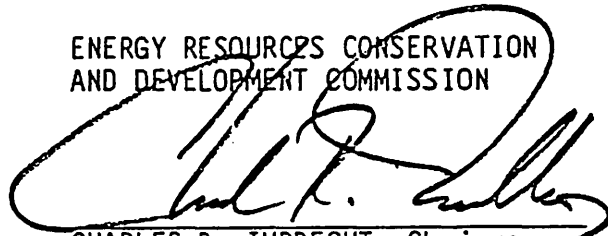
The purposes of the hearing are (1) to receive written or oral comments of the parties and the public on the Proposed Order and (2) to consider and possibly adopt the Proposed Order. Copies of the Proposed Order are available from the Commission's Public Adviser's Office, 1516 Ninth Street, MS-12, Sacramento, California 95814.

Any party or interested persons may file written comments on or before November 25, 1987. Oral comments may be made at the hearing.

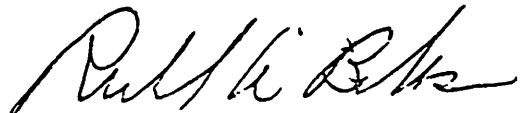
For further information concerning this proceeding, contact the Commission's Public Adviser, Christopher Heard, at (916) 324-3009 or, toll free in California, (800) 822-6228.

Dated: November 6, 1987

ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION



CHARLES R. IMBRECHT, Chairman  
and Presiding Committee Member



RICHARD BILAS, Commissioner  
and Committee Member

STATE OF CALIFORNIA  
ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

In the Matter of:

Docket No. 82-AFC-2A

Application for Certification of )  
the KERN RIVER COGENERATION COMPANY )  
Omar Cogeneration Project )  


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PROOF OF SERVICE

I am a citizen of the United States over the age of 18 years. I am not a party to this proceeding. My business address is P.O. Box 5197, Bakersfield, California 93388.

I declare that on April 10, 1986, I served copies of the Applicant's March 7, 1986 Data Response, by placing a copy thereof, in a sealed envelope with postage fully prepaid, in the United States mail at Bakersfield, California, addressed to the parties listed in Attachment A, with the exception of the parties listed under "California Energy Commission" who will receive copies of the document by Federal Express mail which was mailed on April 10, 1986.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
DAWN M. HAUB

Executed on:

April 10, 1986

ATTACHMENT A

CALIFORNIA ENERGY COMMISSION

Charles R. Imbrecht, Chairman  
and Presiding Member  
California Energy Commission  
1516 Ninth Street, MS-31  
Sacramento, CA 95814

Arturo Gandara  
Presiding Commissioner  
1516 Ninth Street, MS-34  
Sacramento, Ca 95814

Stanley W. Valkosky  
Hearing Officer  
1516 Ninth Street, MS-14  
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April 7, 2004	Commission Order (04-0407-03) allowing for either cogeneration or simple-cycle operation of Units 3 and 4.	TN 31293
February 9, 2000	Commission Order (00-0209-05) approving modification to Air Quality Condition of Certification AQ-2 to remove the one-hour concentration emission limit for NOx.	TN 13823
July 29, 1998	Commission Order (98-0729-2) approving change in NOx Emissions Limit in AQ-18.	TN 9174
October 6, 1997	Staff Approved Project Modification letter approving addition of covered parking.	
February 1, 1995	Commission Order (95-0201-02a) approving modification of operating characteristics and exclude oil-fired backup.	
May 25, 1994	Staff Approved Project Modification letter approving addition of reverse osmosis unit.	
July 28, 1993	Commission Order (93-0728-03a) approval to add maintenance shop.	
May 24, 1989	Commission Order (89-0524-08a) approving clarification of shutdown of steam generators.	
November 02, 1988	Commission Order (88-1102-3b) approving modification of gas turbine heat input rates.	
October 19, 1988	Commission Order (88-1019-4b) approving modification of emission sampling limits.	
December 3, 1987	Commission Order (87-1202-02) Clarifying of Energy Commission jurisdiction over transmission tapline and substation.	

**FOR QUESTIONS ABOUT THIS PROJECT, PLEASE CONTACT:**

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