

## DOCKETED

<b>Docket Number:</b>	07-AFC-06C
<b>Project Title:</b>	Carlsbad Energy Center - Compliance
<b>TN #:</b>	203107
<b>Document Title:</b>	Committee Scheduling Order
<b>Description:</b>	N/A
<b>Filer:</b>	Maggie Read
<b>Organization:</b>	Energy Commission Hearing Office
<b>Submitter Role:</b>	Committee
<b>Submission Date:</b>	9/25/2014 5:18:28 PM
<b>Docketed Date:</b>	9/26/2014



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – WWW.ENERGY.CA.GOV**

***PETITIONS TO AMEND THE  
CARLSBAD ENERGY CENTER  
PROJECT***

**Docket No. 07-AFC-06C**

## **COMMITTEE SCHEDULING ORDER**

### **Background**

On April 29 and May 2, 2014, Carlsbad Energy Center LLC (the Petitioner), an indirect wholly owned subsidiary of NRG Energy, Inc., submitted two petitions to amend the May 31, 2012, Energy Commission Decision approving the Carlsbad Energy Center Project (CECP). The approved CECP and the amendment petitions are described below. The CECP would be located on the eastern portion of the Encina Power Station (EPS), north of Canon Road, east of the AT&SF/North County Transit District Rail Corridor, west of Interstate-5 and south of the Agua Hedionda Lagoon, in the city of Carlsbad in San Diego County.

The Energy Commission assigned this Committee of two Commissioners to conduct proceedings on the amendment. The Committee held a public Site Visit, Environmental Scoping Meeting, and Informational Hearing in Carlsbad on August 7, 2014, to discuss the review process and to identify issues that could affect the schedule. The Committee met in closed session on August 25, 2014 to deliberate on various matters, including the schedule.<sup>1</sup>

### **Schedule**

The attached Committee Schedule is based on Staff's proposed schedule and related discussions at the Informational Hearing. The Committee may modify the schedule at any time upon either its own motion or that of a party. Cal. Code Regs., tit. 20, § 1709.7 (c).

### **Status Reports and Status Conferences**

The attached schedule requires status reports to be submitted by all parties. Those status reports shall inform the Committee whether or not case development is

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<sup>1</sup> In a separate order, issued concurrently, the Committee determined that the April 29 and May 2 Petitions to Amend should be considered together rather than as separate amendments.

progressing satisfactorily, and bring potential schedule delays and other relevant matters to the Committee's attention.

### **Status Reports and Status Conferences**

The attached schedule requires status reports to be submitted by all parties. Those status reports shall inform the Committee whether or not case development is progressing satisfactorily, and bring potential schedule delays and other relevant matters to the Committee's attention.

### **Formality of Hearings**

The Committee intends to conduct the hearings on Staff's assessment and recommendations using an informal procedure. The parties will identify witnesses and exhibits prior to the hearing. During the hearing, all of the witnesses for a topic will be seated as a panel to answer questions from the parties and the Committee. While a question can be directed to a particular witness in the first instance, the other panelists may also answer the question if they choose. Panelists may also ask questions of each other. This format provides a more coherent discussion of the issues that is easier for the parties, public and the Committee to follow. The Committee does, however, reserve the right to convert to a more formal process for any issues.

### **Public Adviser and Public Participation**

The Energy Commission invites members of the public and other interested parties to participate either on an informal basis or by intervening in the proceeding. Both types of participation allow written and oral comments. At the informal participation level, written and oral public comments are considered by the Commissioners and are part of the record, but are not part of the formal evidentiary record. Intervenors have the right to introduce evidence into the evidentiary record and cross-examine the other parties' witnesses.

The Energy Commission's Public Adviser's Office is available to provide the public with an understanding of a proceeding and to make recommendations for meaningful participation. For assistance, contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228 or e-mail at: [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov).

### **Information**

Questions of a legal or procedural nature should be directed to Chief Hearing Adviser Paul Kramer at (916) 654-5103, or e-mail: [paul.kramer@energy.ca.gov](mailto:paul.kramer@energy.ca.gov).

Technical questions concerning the project should be addressed to Mike Monasmith, Staff Project Manager, at (916) 654-4894, or e-mail: [mike.monasmith@energy.ca.gov](mailto:mike.monasmith@energy.ca.gov).

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989, or e-mail: [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

Information regarding the status of the project, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the Energy Commission's Internet web page at: <http://www.energy.ca.gov/sitingcases/carlsbad/>.

If you would like to receive e-mail notifications about project related meetings and documents, sign up on the listserve at <http://www.energy.ca.gov/listservers/>.

Dated: September 25, 2014, at Sacramento, California.

***Original Signed By:***

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KAREN DOUGLAS  
Commissioner and Presiding Member  
Carlsbad Amendments Committee

***Original Signed By:***

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ANDREW McALLISTER  
Commissioner and Associate Member  
Carlsbad Amendments Committee

**CARLSBAD ENERGY CENTER AMENDMENTS  
07-AFC-06C  
COMMITTEE SCHEDULE**

ACTIVITY	DATE
Petition to Remove Filed	04-29-14
Petition to Amend Filed	05-02-14
Staff Data Requests Served	07-07-14
Site Visit and Informational Hearing	08-07-14
Data Response and Issue Resolution Workshop	09-24-14 - 09-25-14
San Diego Air Pollution Control District (SDAPCD) files Preliminary Determination of Compliance (PDOC)	Tbd
Parties file Status Reports	10-01-14 and every month thereafter until the Prehearing Conference
California Coastal Commission files comments	Tbd
Discovery (Data Requests) Cut Off (requests must be filed by this date or Committee permission for later filing obtained)	10-29-14
Staff publishes Preliminary Staff Assessment (PSA)	PDOC + 45 days
Preliminary Staff Assessment Workshop	Tbd
PSA Public Comment Period ends	PSA + 30 days
SDAPCD files Final Determination of Compliance (FDOC)	Tbd
Staff publishes Final Staff Assessment (FSA)	FDOC + 30 days
Parties file Prehearing Statements Identifying Witnesses, Exhibits, and Contested Issues	Tbd
Prehearing Conference	Tbd
Evidentiary Hearing	Tbd
Presiding Member's Proposed Decision (PMPD) Issued for 30 day comment period	6-8 weeks after Evidentiary Hearing
Committee PMPD Conference (near end of PMPD comment period)	Tbd
Errata or Revised PMPD issued (if necessary)	Tbd
PMPD Considered for adoption at Energy Commission Business Meeting	Tbd

Tbd – to be determined

\* – approximate date

September 25, 2014