

DOCKETED

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Memorandum

Date: January 2, 2015
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To: Commissioner Karen Douglas, Presiding Member
Commissioner Andrew McAllister, Associate Member
Paul Kramer, Chief Hearing Officer

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Subject: **CARLSBAD ENERGY CENTER PROJECT AMENDMENT (07-AFC-6C)
STATUS REPORT #4**

Pursuant to the Revised Committee Scheduling Order dated October 30, 2014, staff issues this Status Report #4 for the proposed Carlsbad Energy Center Project (CECP) Amendment, 07-AFC-6C. Since publication of Status Report #3 on December 1, 2014, and the Status Conference held on December 3, 2014, the following project events have transpired:

Preliminary Determination of Compliance (PDOC)

On December 12, 2014, the San Diego County Air Pollution Control District (SDAPCD) issued a Preliminary Determination of Compliance (PDOC) for the CECP Project Amendment (TN203441). The SDAPCD's evaluation of the air pollution impacts of the proposed operating equipment finds the project is expected to operate in compliance with all applicable District regulations and federal requirements that the SDAPCD is authorized to implement. The public comment period on the PDOC runs from December 17, 2014 through January 16, 2015.

Preliminary Staff Assessment

On December 15, 2014, Energy Commission staff published the Preliminary Staff Assessment (PSA) (TN203457), containing staff's analyses of the project's compliance with applicable laws, ordinances, regulations and standards (LORS) and proposed mitigation measures for potential impacts in the areas of engineering, the environment, and public health and safety, including recommendations from the PDOC. CD's of the PSA have been sent to local and state libraries and public agencies. A combined Notice of Availability of the PSA and PSA Workshop Notice was docketed on December 17, 2014 (TN203462), and sent to all interested parties via the Proof of Service List and list-serve subscribers. Public comment on the PSA is from December 17, 2014 through January 21, 2015.

Public Workshops Scheduled

Staff has scheduled two PSA public workshops on January 12 and 13, 2015, to be held in Carlsbad, and a third workshop on January 14th in Sacramento, if needed to

complete any unfinished discussions of workshop topics. Agendas for the workshops will cover those areas of concern expressed by the intervenors, agencies, staff and the petitioner, and will allocate time for public comment.

A written motion to delay the PSA workshops until February 2015 was filed by intervenor Terramar on December 24, 2014 (TN3479). Letters supporting Terramar's request were filed by intervenors Robert Sarvey on December 29, 2014 (TN203485), Power of Vision on December 30, 2014 (TN203486) and Robert Simpson on December 31, 2014 (TN203492). Petitioner filed a response opposing Terramar's motion on December 30, 2014. Staff will be prepared to comment, as needed, at the January 7, 2015 Status Conference.

Staff is also preparing to respond to PSA comments which will be presented as an appendix to the Final Staff Assessment (FSA) to be published by February 17, 2015, per the Revised Scheduling Order. Only one comment on the PSA has been received to date informing staff that "The Staff Assessment is very inclusive, informative, organized and sets the Project up for when the time comes for a final decision that all ground was covered and a right and best decision will be made."

cc: Docket (07-AFC-6C)
Proof of Service List