

## DOCKETED

<b>Docket Number:</b>	08-AFC-09C
<b>Project Title:</b>	Palmdale Energy Project (Formerly Palmdale Hybrid Power Plant) - Compliance
<b>TN #:</b>	216635
<b>Document Title:</b>	Transcript of 03/10/2017 Prehearing Conference
<b>Description:</b>	N/A
<b>Filer:</b>	Cody Goldthrite
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Committee
<b>Submission Date:</b>	3/21/2017 10:59:59 AM
<b>Docketed Date:</b>	3/21/2017

BEFORE THE CALIFORNIA ENERGY COMMISSION  
COMMITTEE PREHEARING CONFERENCE ON  
PRESIDING MEMBER'S PROPOSED DECISION

In the Matter of: )  
 ) Docket No. 08-AFC-09C  
PETITION TO AMEND THE PALMDALE )  
ENERGY PROJECT )

CALIFORNIA ENERGY COMMISSION  
ART ROSENFELD HEARING ROOM  
1516 9TH STREET  
SACRAMENTO, CALIFORNIA

FRIDAY, MARCH 10, 2017

9:00 A.M.

Reported by:  
Peter Petty

APPEARANCES

COMMISSIONERS

Karen Douglas, Presiding Member

Janea Scott, Associate Member

ADVISERS

Jennifer Nelson, Adviser to Commissioner Douglas

Matthew Coldwell, Adviser to Commissioner Scott

Rhetta deMesa, Adviser to Commissioner Scott

Kristy Chew, Technical Adviser on Siting Matters

HEARING OFFICER

Kenneth Celli

STAFF

Lisa DeCarlo, Staff Counsel

Eric Knight, Environmental Office Manager

Tia Taylor, Biology Unit Energy Analyst

Eric Veerkamp, Compliance Project Manager

John Hilliard, Biological Resources Unit Supervisor

Rosemary Avalos, Outreach Specialist

PALMDALE ENERGY CENTER

Scott Galati, Galati & Blek

Tomas Cameron (via WebEx), Palmdale Energy, LLC

Tom Johns, Palmdale Energy, LLC

1  
2 P R O C E E D I N G S

3 9:06 A.M.

4 SACRAMENTO, CALIFORNIA, FRIDAY, MARCH 10, 2017

5 COMMISSIONER DOUGLAS: Good morning everybody.  
6 Welcome to this Prehearing Conference for the Palmdale  
7 Energy Project.

8 Before we begin, I'd like to introduce the  
9 Committee, and then ask that the parties identify themselves  
10 for the record. I'm Commissioner Karen Douglas, the  
11 Presiding Member of this Committee. My colleague,  
12 Commissioner Janea Scott, is the Associate Member. To my  
13 immediate left is our Hearing Adviser, Ken Celli. To  
14 Commissioner Scott's left, her Advisers, Rhetta DeMesa and  
15 Matt Coldwell. And to my right is my Adviser, Jennifer  
16 Nelson. Kristy Chew, the Technical Adviser for Siting for  
17 the Commissioners and for the Committee, is in the back of  
18 the room.

19 So with that, I'll ask the parties to introduce  
20 themselves and their representatives, starting with the  
21 Petitioner.

22 MR. GALATI: Good afternoon. Scott Galati  
23 representing Palmdale Energy, LLC. And I believe we have at  
24 least two members of our team, the Applicant's team, on the  
25 phone.

1 HEARING OFFICER CELLI: Do we need to have them  
2 un-muted, Mr. Galati?

3 MR. GALATI: Yes, Mr. Cameron and Mr. Johns. They  
4 can introduce themselves, if we have them listed.

5 HEARING OFFICER CELLI: Okay, let's un-mute  
6 everybody.

7 And what are the names of the people on the phone,  
8 Mr. Galati?

9 MR. GALATI: Tom Johns and Tom Cameron.

10 HEARING OFFICER CELLI: All right. Mr. Johns --

11 MR. CAMERON: Tom --

12 HEARING OFFICER CELLI: -- are you on the phone?

13 MR. JOHNS: Yes. Tom Johns with Palmdale Energy  
14 is here.

15 HEARING OFFICER CELLI: Okay. Thank you.

16 And who was the other? Tom Cameron?

17 MR. CAMERON: Tom Cameron with Palmdale Energy is  
18 on the phone. Thank you.

19 HEARING OFFICER CELLI: Thank you very much.

20 MS. DECARLO: Lisa DeCarlo, Energy Commissioner  
21 Staff Counsel. And I'll let the rest of our team introduce  
22 themselves.

23 MR. KNIGHT: This is Eric Knight, Environmental  
24 Office Manager.

25 MS. TAYLOR: Tia Taylor, Energy Analyst with the

1 Biology Unit.

2 MR. VEERKAMP: Eric Veerkamp, Compliance Project  
3 Manager.

4 MR. HILLIARD: And I don't have a microphone.  
5 John Hilliard, Biological Resources Unit  
6 Supervisor.

7 COMMISSIONER DOUGLAS: Great. Thank you.

8 Is anyone here from the Public Adviser's Office?

9 HEARING OFFICER CELLI: That's Rosemary Avilos.

10 COMMISSIONER DOUGLAS: Oh, great. Rosemary  
11 Avilos, thank you for being here.

12 I took my glasses off, so that was a problem at  
13 that particular moment.

14 Is anyone here from any public agencies, elected  
15 officials or representatives from the federal government,  
16 State of California, Native American tribes, any other  
17 local, state or federal agencies here or on the phone? If  
18 you're on the WebEx, please speak up. All right.

19 So at this time, I'll hand over the conduct of  
20 this hearing to the Hearing Officer, Ken Celli.

21 HEARING OFFICER CELLI: Thank you, Commissioner  
22 Douglas.

23 The Committee noticed today's Prehearing  
24 Conference in the Notice of Prehearing Conference and  
25 Evidentiary Hearings Scheduling Order and Further Orders was

1 issued on February 17th, 2017. I want to remind everybody  
2 that we've noticed March 22nd for the Evidentiary Hearing on  
3 all subject areas. The hearing will start at 11:00 in the  
4 morning at the Palmdale City Hall, which is at 38300 Sierra  
5 Highway in Palmdale. And we will take public comment at  
6 noon on the 22nd.

7 As explained in the notice, the basic purposes of  
8 a prehearing conference are to assess the project's  
9 readiness for hearings, to clarify areas of agreement or  
10 dispute, to identify witnesses and exhibits, to determine  
11 upon which areas parties need to question the other party's  
12 witnesses, and to discuss associated procedural matters.

13 To achieve these purposes we require that any  
14 party seeking to participate at this conference or who has  
15 sought to present evidence or cross examine witnesses file a  
16 Prehearing Conference Statement by March 3rd, 2017. Timely  
17 Prehearing Conference Statements were filed by both parties.

18 Staff published its Final Assessment, which we  
19 refer to as the FSA, Final Staff Assessment, FSA, on  
20 September 12th, 2016. The FSA serves as Staff's opening  
21 testimony on all subject areas. The FSA has been marked for  
22 identification as Exhibit 500. Staff's Rebuttal Testimony  
23 was filed on February 22nd, 2017, marked for Identification  
24 as Exhibit 502.

25 Revised Final Determination of Compliance from the

1 Antelope Valley Air Quality Management District, or the  
2 AVAQMD, was filed on 8/24/2016 and marked for identification  
3 as Exhibit 504.

4 Timely testimony was filed by the Applicant,  
5 Palmdale Energy, LLC, which is in the form of its  
6 application, testimony and exhibits, spanning a period  
7 between April 29th, 2015 through February 28th, 2017. These  
8 exhibits have been marked for identification as Exhibit 1  
9 through Exhibit 57. And opening testimony has been marked  
10 for identification as Exhibit 56.

11 In terms of today's procedure, our agenda is  
12 divided into three parts. First, we are going to discuss  
13 the parties' prehearing statements. Second, we will discuss  
14 the conduct of the evidentiary hearing. And finally, we  
15 will provide an opportunity for the public to make public  
16 comment.

17 I am informed that the parties wish to conduct a  
18 Staff workshop immediately following this prehearing  
19 conference. The Committee does not object to the parties  
20 using this room to workshop after we adjourn the prehearing  
21 conference, but the Court Reporter will be excused after  
22 adjournment. Also, the parties may continue to use the  
23 WebEx, in case people are calling in, but the recording will  
24 stop on adjournment of the prehearing conference. Okay?

25 So the Prehearing Conference Statements, both



1 parties agree that all subject areas are complete and ready  
2 to proceed, with the exception of the Southwestern Willow  
3 flycatcher issue in Biological Resources. Both parties  
4 propose to submit written testimony only and require no oral  
5 testimony. Neither party seeks to call the others'  
6 witnesses for cross examination. Both parties assert that  
7 there are no outstanding disputes on any subject areas,  
8 other than, shall we say, the Southwester Willow flycatcher,  
9 which we will talk about. And both parties would dispense  
10 with briefing altogether.

11 So do I have that right, Mr. Galati?

12 MR. GALATI: Yes.

13 HEARING OFFICER CELLI: And Ms. DeCarlo?

14 MS. DECARLO: Yes.

15 HEARING OFFICER CELLI: Okay. Great.

16 Applicant identified Exhibits 1 through 57. Staff  
17 identified Exhibits 500 through 507.

18 Do we anticipate the need to file additional  
19 exhibits at the evidentiary hearing, Mr. Galati?

20 MR. GALATI: Yes. I think we will be filing,  
21 probably either one document that contains two conditions or  
22 two documents, one condition each. I think that we have  
23 resolved the Southwest Willow flycatcher issue. We may not  
24 even need the workshop.

25 HEARING OFFICER CELLI: Okay. And, Staff, do you

1 agree with that?

2 MS. DECARLO: Yes. And we have one additional.  
3 We left a placeholder in the Prehearing Conference Statement  
4 for supplemental testimony on Biological Resources. So  
5 we'll still be anticipating filing that.

6 And also, on March 9th we filed a Bio-26 proposal.  
7 And we would like to enter that into the record, as well.

8 HEARING OFFICER CELLI: Okay. Well, we'll do that  
9 at the evidentiary hearing.

10 What I wanted to ask right now was did the parties  
11 have a chance to put together a compendium of the conditions  
12 so that the Committee can get the most current conditions,  
13 the state of the conditions as they are today, or whenever  
14 we can get that?

15 MS. DECARLO: Staff is in the process of preparing  
16 that. We wanted to wait until we had some finality on these  
17 two outstanding conditions. We believe we may have that in  
18 the next day or so, in which case we can finalize the  
19 compendium and provide it, both to the Applicant and to the  
20 Committee.

21 HEARING OFFICER CELLI: I appreciate that. Thank  
22 you very much. There's just nothing worse than going  
23 through the whole process and finding that some errant  
24 condition made its way back into the condition, so let's  
25 make sure we avoid that this time.

1           Okay, so I want to acknowledge the receipt of Bio-  
2 24 from Staff. I think this the one with the strikeout and  
3 underline. And then I have Bio-26 from, I guess -- Ms.  
4 DeCarlo, you just said that you -- that Staff put in Bio-26  
5 most recently, and Bio-24. And they're both kind of dealing  
6 with the same thing and I wasn't sure whether -- are these -  
7 - do we want two separate new conditions, is that the idea  
8 here?

9           MR. GALATI: Yeah.

10          HEARING OFFICER CELLI: Okay.

11          MR. GALATI: I'm happy to address that since --

12          HEARING OFFICER CELLI: Please.

13          MR. GALATI: -- I think I started that with the  
14 Bio-26.

15                 Condition of Certification Bio-24 was a monitoring  
16 condition that was from the old project that was primarily  
17 to address potential collisions with the solar arrays.

18 Since the solar arrays were eliminated, Staff in the Final  
19 Staff Assessment eliminated Condition Bio-24 at our request.

20                 The issue had come up about potential collisions  
21 with the Willow flycatcher with the transmission line based  
22 on recent information received from U.S. Fish and Wildlife  
23 Service about needing to address this issue.

24                 In the Prehearing Conference that I filed, I filed  
25 a new Bio-26 to deal with mitigation. Staff, in its

1 Prehearing Conference Statement, filed a different Bio-26 to  
2 which we agree it should replace what I proposed in our  
3 Prehearing Conference. And I'm assuming that that is what  
4 either gets moved in as an exhibit, as part of the  
5 Prehearing Conference Statement being marked as an exhibit  
6 of Staff's, or in Staff's testimony, it's just repeated.

7 But Bio-26 is agreed to. And it is a condition  
8 that deals with how do we mitigate and what do we do with  
9 CDFW and U.S. Fish and Wildlife Service's ongoing  
10 consultation.

11 Based on this issue, Staff realized that a form of  
12 Bio-24, which was monitoring, needed to be reinstated. They  
13 proposed a Bio-24 and docketed it as a separate document.  
14 We then replied to it in redline strikeout, and Staff has  
15 responded to that. I have a copy today of what Staff's  
16 response is. I think that with one telephone call to my  
17 client and a private consultation, we'll be able to agree  
18 that Staff's current version of Bio-24, not yet docketed,  
19 with one minor revision will get us in agreement with both  
20 Bio-24, 26, and all of the conditions will be, I think,  
21 acceptable. I just need to confirm that, and I'd like to do  
22 that privately and not through WebEx.

23 MS. DECARLO: And I have copies for the Committee,  
24 if they'd like to see Staff's proposal.

25 HEARING OFFICER CELLI: Okay. Well, certainly,

1 but we don't need them right now. We'll get to that. So  
2 that's Bio-24.

3 But the Bio-26 question, which is sort of a larger  
4 question. And maybe I'll throw this out at Staff or  
5 Applicant to explain how it is that we can go forward with  
6 the condition, pending the federal action, I'm talking about  
7 the section seven consultation. And how do we avoid or how  
8 is that we can proceed to completion on the state side of  
9 things while that's an unfinished matter?

10 MR. GALATI: We often do, Mr. Celli, we often get  
11 the final biological opinion after the Energy Commission  
12 action. What needs to happen is -- it has been a custom,  
13 but certainly not legally required, for the Energy  
14 Commission to have all the federal permits. For example, we  
15 get a prevention of significant deterioration and air permit  
16 that is outside of the district process at the federal  
17 government, EPA. The EPA is the one that's consulting with  
18 biological opinion, getting the biological opinion on U.S.  
19 Fish and Wildlife Service.

20 So what has been the customary practice with the  
21 Commission is that the Commission staff will coordinate with  
22 U.S. Fish and Wildlife Service to make sure that anything  
23 that they're including in their conditions really don't  
24 conflict with what the U.S. Fish and Wildlife Service is  
25 thinking. And in this case the U.S. Fish and Wildlife

1 Service has told us there's nothing you can really do to the  
2 transmission line to prevent potential collisions. And so  
3 the real issue here is how many birds might be taken. And  
4 then we've worked out a metric for mitigation to assume that  
5 those birds need to be mitigated with nesting habitat.  
6 That's what Bio -- and there would be monitoring.

7           So ultimately what we believe the biological  
8 opinion will be saying is, primarily, here's how you are to  
9 monitor and will give us the take authorization, should an  
10 errant Willow flycatcher fly into the transmission line.

11           So that's my understanding of why the biological  
12 opinion is not necessary to be completed prior to the Energy  
13 Commission permit. It is a separate federal action attached  
14 to the prevention of significant deterioration. In other  
15 cases, like with the desert tortoise, for example, we are  
16 working on also a take permit from CDFW. And we're talking  
17 about habitat take, not necessarily animal take.

18           So I see that as different issues. And that's why  
19 I think it can go forward.

20           MR. KNIGHT: Mr. Celli, could I add something to  
21 that?

22           HEARING OFFICER CELLI: Mr. Knight, go ahead, Eric  
23 Knight.

24           MR. KNIGHT: So the other thing to keep in mind is  
25 that this both a federally listed and state listed species.

1 And so there will be a requirement to consult with  
2 California Department of Fish and Wildlife.

3           So one of the things that the Applicant can do is  
4 take that incidental take statement, biological opinion from  
5 the Fish and Wildlife Service, and submit it to the  
6 California Department of Fish and Wildlife Service for a  
7 consistency determination. And in that case it's sort of  
8 like, in a sense, if they agree that the mitigation that  
9 comes out of the federal process meets CESA requirements, or  
10 excuse me, California Endangered Species Act requirements,  
11 they won't actually issue a take from it, they'll issue a  
12 consistency determination. So in sense you're sort of  
13 subsuming the federal process into the state process.

14           HEARING OFFICER CELLI: So a consistency  
15 determination is issued by the USFWS or CDFW?

16           MR. KNIGHT: CDFW.

17           HEARING OFFICER CELLI: Okay.

18           MR. KNIGHT: So what they're saying is that  
19 they've reviewed the incidental take statement and the  
20 biological opinion that was issued by the Fish and Wildlife  
21 Service for this project. And in their view it meets all  
22 requirements of mitigation under CESA.

23           HEARING OFFICER CELLI: Uh-huh.

24           MR. KNIGHT: And then, therefore, we've kind of,  
25 for lack of a better pun, killed two birds with one stone.

1 That was bad, sorry, one transmissions line. Sorry. And in  
2 the event that the California Department of Fish and  
3 Wildlife Service believes that additional requirements are  
4 needed, often times what they require -- well, they always  
5 require that there be financial assurances. So often times  
6 they will believe that the federal incidental take is not  
7 sufficient because it lacks that financial assurance. And  
8 then they would issue then an incidental takes permit that  
9 requires the financial assurances that the mitigation is  
10 actually carried out.

11 HEARING OFFICER CELLI: Thank you for that. So  
12 maybe I read this too fast when I got it yesterday, but I  
13 thought that there was something in here that limited the  
14 number of birds. And so how do we account for that now?

15 MR. KNIGHT: What we intend on doing is filing,  
16 next week, our analysis that presents what we believe to be  
17 the range of potential impacts --

18 HEARING OFFICER CELLI: Uh-huh.

19 MR. KNIGHT: -- or take. We don't know what that  
20 exact number is. The science is evolving. There's some  
21 information in the Desert Renewable Energy Conservation Plan  
22 about the potential take of Willow flycatchers from  
23 renewable development, including transmission lines. But  
24 then there's some more recent monitoring reports that are  
25 coming from some of the transmission line projects that



1 suggest the impact is greater than what the DRECP suggested.  
2 We expect more information to come in. So we're allowing  
3 the sort of time, you know, for this information to come in.  
4 And it could be folded into, you know, the incidental take  
5 process that's going to go on.

6 We've established a threshold, what we believe  
7 will mitigate the impact, regardless of what the number is.  
8 And that's a number that -- that's the five acres per bird  
9 that comes from the DRECP. So we believe we've established  
10 a performance standard mitigation that commits the Applicant  
11 and the agencies to the mitigation and identifies what the  
12 mitigation needs to be mitigate the impact, so --

13 HEARING OFFICER CELLI: I see.

14 MS. DECARLO: The Conditions of Certification  
15 establish the framework for the mitigation. The only thing  
16 that's outstanding is the anticipated exact number of birds  
17 that are likely to be impacted from the transmission line.  
18 As Mr. Galati said, there's really no changes to the project  
19 that could be required to mitigate that. So the only  
20 mitigation we can look at is compensatory land. And so as  
21 Mr. Knight said, there's been an establishment of five acres  
22 per bird killed as being the compensation and appropriate  
23 mitigation. And through the BO and ITP process the wildlife  
24 agencies will establish how many birds they think will be  
25 taken through the life of the project.

1           And so we can plug that number into the permit and  
2 the conditions, and that will set forth the actual number of  
3 lands that the Applicant will have to provide. And in  
4 addition to that we have the monitoring plan. So as the  
5 years go by and they're watching the lines, if it appears  
6 that there's more birds than anticipated that are being  
7 taken, there will be a true-up ability to go back and say,  
8 okay, you need to provide more compensation lands as a  
9 result.

10           MR. GALATI: And I can add, I appreciate this  
11 approach very much. This issue came up very, very late in  
12 our process. And remember, we haven't changed our  
13 transmission line. This is the original transmission line  
14 that was permitted. So it's not changes in our transmission  
15 line. We're not in Willow flycatcher habitat. This is --  
16 in areas in other projects that are closer to habitat, there  
17 have been some mortality reported as part of some of the  
18 other more complex bird monitoring programs for the solar  
19 projects. And in addition, there have been some sightings  
20 and some deaths of Willow flycatcher, whether they're  
21 Southwestern or not, in and around the Palmdale area. But  
22 it's not like the habitat has been reclassified and it's not  
23 like we moved our transmission line to an area closer to  
24 habitat.

25           So we appreciate this approach and we recognize

1 that the Applicant, in trying to work with this issue, is  
2 taking some risk that the ultimate mitigation may be  
3 difficult to anticipate and budget for. But I hope the  
4 Committee appreciates that this Applicant is working very  
5 diligently to try to cooperate during a process like this  
6 and get finality.

7           So that's why we had considered this approach  
8 through the combination of Bio-24 and 26, which provide the  
9 monitoring and the performance standard for mitigation,  
10 including the five acres metric that was adopted in DRECP.

11           HEARING OFFICER CELLI: Thank you. So that all  
12 sounds well and good. I was looking at Defend the Bay  
13 versus City of Irvine, 119 Cal.App.4t 1261, which sort of  
14 gives us some parameters for what performance standards --  
15 how to fashion one, and we'll see what you come up with.  
16 And so I just want to make sure that we're not spinning our  
17 wheels now.

18           Just out of curiosity, because there is no change,  
19 I thought there was one more pole that's going in that's on  
20 the site for a transmission line, and that was it.

21           MR. GALATI: There is a -- the transmission line  
22 is slightly rerouted around the site to come in at a  
23 different location, but that's not what triggered this.  
24 What triggered this was the fact that we could have either  
25 tried to keep our PSD permit and amend it or withdraw it and

1 file a new one. Because the turbines changed --

2 HEARING OFFICER CELLI: Uh-huh.

3 MR. GALATI: -- we chose to file a new PSD permit,  
4 which caused the EPA, as a federal government, to consult  
5 with the U.S. Fish and Wildlife Service again. And it's  
6 that consultation that has come out. You know, Willow  
7 flycatcher was identified as a potentially significant  
8 impact in the original project, along with other birds,  
9 although the potential was pretty low because it's not their  
10 habitat. And so all Staff was doing with the transmission  
11 line, like many transmission lines, is require it to be  
12 built in accordance with applicable standards, which it will  
13 be.

14 So we easily could have taken the tact and come  
15 here and argued to you that we haven't changed anything, the  
16 Commission shouldn't care. But instead what we've done is  
17 adopt a framework that exposes the Applicant to a little bit  
18 of risk but risk that we can handle, which is we may be  
19 liable for five acres of nesting habitat mitigation per bird  
20 predicted by the biological opinion and CDFW's incidental  
21 take permit process. And we're comfortable with going  
22 forward on that. And that will all be done in accordance  
23 with these conditions, prior to our ability to construct the  
24 transmission line.

25 HEARING OFFICER CELLI: Thank you. Okay. Thank

1 you very much. I wanted to get clear on that, so I  
2 appreciate your comments.

3 Let's talk about the evidentiary hearing itself,  
4 then. We're going to start at 11 o'clock. We're going to  
5 do the usual. The Presiding Member will welcome the parties  
6 and explain the procedure, take any motions that there might  
7 be, if any, and then we would take in the evidence. Based  
8 on the representations from both Counsel, I think that we're  
9 going to finish that in about half-an-hour or so.

10 MR. GALATI: Yeah. I'd like you to reconsider and  
11 do it here. We don't have anyone who has been interested in  
12 the project in a long time. And again, I just want to make  
13 sure it's said on the record, because I'm real proud to  
14 represent this Applicant, this Applicant, as you may know,  
15 this project was incredibly -- had a lot of participation  
16 with interveners, especially the City of Lancaster. It was  
17 incredibly contentious. This Applicant took this project  
18 over and resolved all issues with the City of Lancaster,  
19 resolved all issues with the Antelope Valley, resolved all  
20 issues with Staff, and this is how a project is supposed to  
21 go.

22 And I would like to not only, you know, complement  
23 Staff for working with us, but mostly it's the Applicant  
24 who's willing to agree to reasonable mitigation. And that's  
25 why an evidentiary hearing is going to take a very short

1 period of time.

2 I'm sorry that you have to fly down there for  
3 nothing but --

4 HEARING OFFICER CELLI: It's not for nothing.

5 MR. GALATI: Yes.

6 HEARING OFFICER CELLI: We -- but I appreciate  
7 that, because I was the Hearing Officer on the original  
8 Palmdale. And there, we had two interveners and there was a  
9 lot of rancor at the time.

10 So really, that's it. We'll take public comment  
11 and then we will adjourn.

12 The Committee, at the request of the parties,  
13 would not require briefing at this time, unless a party  
14 makes a request to do so.

15 Having said that, I would also just admonish the  
16 parties that you're free to file briefs any time you want  
17 to, really, if you find it necessary. We're not precluding  
18 briefing. I always like briefing, it's helpful, but if you  
19 don't want to you don't have to. So I'm not going to -- the  
20 scheduling that shows -- the Scheduling Order which shows  
21 briefing, then I believe we put the word "optional" in  
22 parenthesis, so that is truly optional. You don't have to  
23 adhere to that.

24 So if there's nothing further from the Applicant  
25 and Staff, then I would go to public comment at this time.

1 Anything further from Mr. Galati?

2 MR. GALATI: None.

3 HEARING OFFICER CELLI: And Staff?

4 MS. DECARLO: No.

5 HEARING OFFICER CELLI: Okay. Thank you.

6 Ms. Avalos, if you wouldn't mind coming up to the  
7 microphone, so we can get your voice on the transcript? I  
8 just want to ask if there's anybody here who wants to make a  
9 public comment?

10 MS. AVALOS: There's no one present to make a  
11 public comment here.

12 HEARING OFFICER CELLI: And did you receive any  
13 comments or someone who asked for you to read a comment into  
14 the record?

15 MS. AVALOS: No, I did not.

16 HEARING OFFICER CELLI: Okay. Thank you very  
17 much.

18 So there being nobody here in the room, I'm going  
19 to go to the phones next. We have what appear to be four  
20 call-in users.

21 Are they un-muted, Mr. Lee?

22 MR. LEE: They are.

23 HEARING OFFICER CELLI: Thank you.

24 Ladies and Gentlemen on the telephone, we can't  
25 tell who you are, other than it says call-in user two, call-

1 in user three, that kind of thing. So if you wish to make a  
2 comment, just speak up now, and the one with the loudest  
3 voice will probably win, so go ahead. Anyone who wishes to  
4 make a comment, go ahead. Anyone? This is your chance to  
5 comment to the Committee on the Palmdale Energy Project.  
6 Going once? Okay.

7 Then hearing none, I will hand the conduct of this  
8 hearing back to Presiding Member Commissioner Douglas.

9 COMMISSIONER DOUGLAS: Well, thank you very much.  
10 I appreciate the parties' work on all of these issues.

11 And anything to add, Commissioner Scott? All  
12 right.

13 Well, then for today, we are adjourned. Thank  
14 you.

15 HEARING OFFICER CELLI: Thank you.

16 (The hearing adjourned at 9:32 a.m.)  
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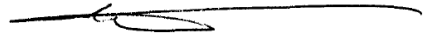


**REPORTER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of March, 2017.



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PETER PETTY  
CER\*\*D-493  
Notary Public

## CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT\*\*367

March 21, 2017