

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE
TESLA POWER PLANT PROJECT
(TPPP) IN ALAMEDA COUNTY

DOCKET NO. 01-AFC- 21
(AFC ACCEPTED 1/9/02)

DOCKET 01-AFC-21
DATE <u>JAN 31 2002</u>
RECD <u>FEB 01 2002</u>

NOTICE OF INFORMATIONAL HEARING AND SITE VISIT

I. INFORMATIONAL HEARING AND SITE VISIT

PLEASE TAKE NOTICE that The Committee designated to conduct proceedings on the Application for Certification for the proposed *TESLA POWER PLANT PROJECT*, (to be constructed approximately 0.5 miles north of the Pacific Gas & Electric (PG&E) Tesla Substation and 1 mile south of the Altamont Speedway) will hold an INFORMATIONAL HEARING and SITE VISIT as follows:

TUESDAY, February 19, 2002
Beginning at 3:30 p.m.
Eagles Lodge
527 North Livermore Ave.
Livermore, California 95304

(Map Attached)

The Informational Hearing will convene at 3:30 p.m. and then recess to allow for a Site Visit during daylight hours. Bus transportation to the site will leave from the hearing location at 3:45 p.m. Reservations for bus transportation must be made through the Public Adviser's Office; please call (916) 654-4489 or toll-free (800) 822-6228, no later than Wednesday, February 13, 2002. Following the Site Visit, the buses will return to the hearing location, and the Informational Hearing will reconvene at approximately 5:00 p.m.

Landowners, members of the general-public, and interested agencies are invited to attend this event or any portion of this event, and question the Applicant and Energy Commission Staff concerning the project. The Commission's Public Adviser, Roberta Mendonca, will be present to assist interested individuals or organizations and to provide information on participating in the Commission's certification process. Ms. Mendonca may be reached at (916) 654-4489 or, (800) 822-6228 or email: **[PAO@energy.state.ca.us]**

Background

On October 12, 2001, Midway Power, LLC, (Midway) filed an Application for Certification (AFC) for the Tesla Power Project (TPPP).¹ The AFC initiates a formal 12-month process to obtain Energy Commission approval to construct and operate the TPPP in Alameda County. The site is located on a 60-acre portion of a 160-acre parcel that is approximately one-half mile north of the PG&E Tesla substation.² Midway Road, which borders the eastside of the parcel, will provide site access. An abandoned railroad right-of-way borders the site to the north; an adjacent 49-acre parcel will be used as a temporary construction laydown area. TPPP's commercial operation is scheduled to begin in the third quarter of 2004, after a 23-month construction period.

Project Description

TPPP is a planned nominal 1,120-megawatt (MW) natural gas-fired, combined cycle electrical generating power plant with associated linear facilities. TPPP's switchyard is to connect to PG&E's Tesla substation via a new 0.8-mile long, double-circuit, 230-MW transmission line.

Natural gas supply to the facility is via a new 24-inch, 2.8-mile natural gas pipeline that follows the route of PG&E's pipeline number 107. The gas pipeline is to connect to PG&E's California Gas Transmission System south of the intersection of I-205 and Patterson Pass Road, in San Joaquin County.

Kern County's Rosedale-Rio Bravo Water Storage District has agreed to supply TPPP's water requirements of approximately 5,100 acre-feet-per-year (AFY). Water supply to the site is via a new, dedicated, 1.7-mile pipeline from the California Aqueduct under an agreement with the local service area's Alameda County Flood Control and Water Conservation District (Zone 7). TPPP's water pipeline construction will be along Midway Road, south to the project site. Wastewater will be disposed of using a zero liquid discharge system. A separate sanitary system will collect sanitary wastewater from sinks, toilets, and other sanitary facilities and discharge it to a county-approved on-site septic system.

The Tesla Power Project (TPPP) is estimated to have a capital cost of between \$600-\$700 million. If the project is approved, Applicant plans to begin construction immediately after the Energy Commission certification process, and be operational several years later. Over the approximately two-year period, the project would provide for a peak of approximately 974 construction jobs. TPPP will be operational up to seven days per week, 24 hours per day and will employ about 36-full time personnel.

¹ Midway is a Delaware limited liability company.

² The legal description is Assessor parcel No. 99B-7825-1-4, Section 30, Township 2S, Range 4E.

The engineering and environmental details of the proposed project are contained in the Application for Certification. A copy of the AFC is available at the following libraries:

- Livermore Civic Center Library, 1000 S. Livermore Avenue, Livermore
- Brentwood Branch Library, 751 3rd Street, Brentwood
- Tracy Branch Library, 20 E. Eaton Avenue, Tracy

Purpose of the Informational Hearing

Licensing of the electric generating plant and related facilities, such as the transmission line and natural gas pipeline, is under the Energy Commission's jurisdiction. The power plant certification process, which contains requirements equivalent to those under the California Environmental Quality Act, will examine all relevant engineering and environmental aspects of the proposed project. This process provides a public forum allowing:

- ⇒ Applicant,
- ⇒ Commission Staff,
- ⇒ interested parties,
- ⇒ governmental agencies,
- ⇒ landowners,
- ⇒ intervenors, and
- ⇒ members of the general public

to consider the relative advantages and disadvantages of the project, and to propose changes or alternatives to the project as necessary.

At the Informational Hearing, any of the foregoing participants will have an opportunity to obtain information and to offer comments on the AFC. Applicant will explain plans for developing the proposed site and related facilities. Energy Commission Staff will explain the administrative licensing process and their role in reviewing the Application. Applicant and Staff will also discuss proposed schedules and possible issues that may be significant during this proceeding.

II. PROPOSED SCHEDULES AND ISSUE STATEMENTS

In order to assist participants in understanding the project, Staff is directed to prepare and serve upon those listed on the Proof of Service List, an Issue Identification Report (IIR), which summarizes the potential major issues in this case **no later than 5:00 p.m. on Wednesday, February 13, 2002.** Copies of the IIR written statement may be obtained by calling Ian Skinner, the Project Assistant, at (916) 654-4184. Staff's IIR will also be available on the Commission's Internet home page at:

<http://www.energy.ca.gov/sitingcases/tesla/index.html>

In addition, Applicant and Staff shall file proposed schedules for the certification review. Staff should endeavor to present its proposed schedule with the IIR; Applicant shall provide its proposed schedule **no later than Wednesday, February 13, 2002.**

III. INFORMATION

Members of the public may participate in all phases of the licensing process in a variety of ways. If you need information concerning public participation, please contact Roberta Mendonca, the Commission's Public Adviser, at (916) 654-4489 or, toll free at (800) 822-6228 or email: **[PAO@energy.state.ca.us]**. Please contact Priscilla Ross in the Public Adviser's office at (916) 653-6631, or email, **[pross@energy.state.ca.us]**, if you require special accommodation to participate at this meeting.

Technical questions concerning the project should be addressed to Jack Caswell, the Commission's Project Manager, at (916) 653-0062 or email at: **[jcaswell@energy.state.ca.us]**.

Questions of a legal or procedural nature should be directed to Major Williams, Jr., the Hearing Officer, at (916) 654-2020 or email at: **[mwilliam@energy.state.ca.us]**.

Media inquiries should be directed to Claudia Chandler, Assistant Executive Director for Media and Public Communications at (916) 654-4989 or email at: **[energia@energy.ca.gov]**.

Information concerning the status of the project, as well as notices and other relevant documents, is also available on the Energy Commission's Internet home page at:
<http://www.energy.ca.gov/sitingcases/tesla/index.html>

Dated January 31, 2002, at Sacramento, California



ROBERT A. LAURIE
Presiding Member
TPPP AFC Committee



MICHAL MOORE
Commissioner and Associate Member
TPPP AFC Committee

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE
TESLA POWER PROJECT
BY MIDWAY POWER LLC.

DOCKET No. 01-AFC-21
(AFC ACCEPTED 01/09/02)

PROOF OF SERVICE

I, Suzanne McClintock, declare that on February 1, 2002, I deposited copies of the attached NOTICE OF INFORMATIONAL HEARING AND SITE VISIT in the United States mail at Sacramento, CA, with first class postage thereon fully prepaid and addressed to the following:

DOCKET UNIT

Send the original signed document plus the required 12 copies to the address below:

**CALIFORNIA ENERGY COMMISSION
DOCKET UNIT, MS-4
*Attn: Docket No. 00-AFC-21
1516 Ninth Street
Sacramento, CA 95814-5512
docket@energy.state.ca.us**

* * * *

In addition to the documents sent to the Commission Docket Unit, also send individual copies of any documents to:

APPLICANT

Midway Power, LLC.
Attn: Derrel A. Grant, Jr.
Attn: Scott Busa
700 Universe Blvd.
Juno Beach, FL. 33408-2683
**derrel_grant@fpl.com
sbusa@fpl.com**

COUNSEL FOR APPLICANT

Grattan & Galati
Attn: Scott A. Galati
Renaissance Tower
801 K Street
Penthouse Suite
Sacramento, CA 95814
sgalati@grattangalati.com

INTERESTED AGENCIES

Regional Water Quality Control Board
Attn: Judy Huang
San Francisco Bay Region #2
1515 Clay Street, Suite 1400
Oakland, CA 94612
jch@rb2.swrcb.ca.gov

Bay Area Air Quality Management
District
Attn: Dennis Jang
939 Ellis Street
San Francisco, CA 94109
djang@baaqmd.gov

San Joaquin Valley Unified Air Pollution
Control District, Northern Region
Attn: Jim Swaney, Permit Svcs. Mgr.
4230 Kiernan Avenue
Modesto, CA 95356
jim.swaney@valleyair.org

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


[signature]

* * * *

INTERNAL DISTRIBUTION LIST

FOR YOUR INFORMATION ONLY! Parties **DO NOT** mail to the following individuals. The Energy Commission Docket Unit will internally distribute documents filed in this case to the following:

ROBERT A. LAURIE
Commissioner & Presiding Member
MS-31

MICHAL C. MOORE
Associate Member
MS-32

Major Williams, Jr.
Hearing Officer
MS-9

Jack Caswell
Project Manager
MS-15

Lisa DeCarlo
Staff Counsel
MS-14

PUBLIC ADVISER

Roberta Mendonca
Public Adviser's Office
1516 Ninth Street, MS-12
Sacramento, CA 95814
Email: pao@energy.state.ca.us