

Memorandum

Date: July 9, 2009
 Telephone: (916) 654-4894

To: Chairman Jeffrey D. Byron, Presiding Member
 Vice Chairman Arthur H. Rosenfeld, Associate Member
 Hearing Officer, Raoul Renaud

DOCKET	
08-AFC-11	
DATE	07/09/09
RECD.	07/09/09

From: California Energy Commission – Rod Jones
 1516 Ninth Street
 Sacramento, CA 95814-5512
 Project Manager

Subject: **CPV VACA STATION PROJECT (08-AFC-11) STATUS REPORT 3**

Staff submits the following Status Report for the proposed CPV Vaca Station Project (CPVVS), pursuant to the Committee Scheduling Order dated March 23, 2009.

Current Issues and Activities for Resolution

Staff has been working through the discovery and analysis phase of the proposed CPVVS project Application for Certification (AFC). Staff has issued three sets of data requests and conducted a data response and issue resolution workshop on March 12, 2009. On May 22, 2009, staff received the responses to the CEC Staff Workshop Queries 1 through 8. The responses covered cultural resources (geomorphology of project linears) and air quality (start-up and shutdown technology, excursions and tuning, cumulative air quality modeling, etc.). Staff and CPV Vacaville, LLC continue to work towards resolution of issues.

On May 27, 2009, the applicant filed an extension of time to respond to staff's data requests set 2, dated May 7, 2009 (Nos. 54 - 57), in order to perform the requested noise monitoring and analysis, and for data requests Nos. 58 - 60 and complete the transmission line diagrams and analysis. As stated previously, staff prepared a third set of data requests (Nos. 68-95) in the areas of biological resources, soils and water resources, and visual resources and submitted them to the applicant on June 1, 2009. The applicant has requested an extension to respond to these data requests, and staff is expecting to receive the responses in July. However, staff is concerned that if the responses will not be received in time, which could impact completion of the Preliminary Staff Assessment (PSA).

As noted in status report 2, the applicant requested an extension with the Yolo Solano Air Quality Management District regarding the Preliminary Determination of Compliance (PDOC). The applicant was granted a two month extension by the district in order to complete its offset application. The offset information was submitted in early June and consisted of text describing the different types of offsets (ratios, interpollutant, etc.) along with a list of offsets proposed.

The district is still reviewing the applicant's information and does not have a date for completion of the PDOC because there are still some unresolved issues concerning the offsets. The applicant will likely need more time to resolve the concerns and therefore will likely need to request another extension with the YSAQMD, as the current one expires on July 9th.

Schedule

PROOF OF SERVICE (REVISED 2/18/09) FILED WITH
 ORIGINAL MAILED FROM SACRAMENTO ON 7/9/09

MS

Staff is concerned that the August 15th PSA publication date will be impacted due to the number of technical disciplines, notably air quality, noise, biology, soil and water resources, visual resources, and transmission system engineering, that have indicated the need for crucial information that is needed for staff to complete its analysis. Staff suggests the following revised schedule for the project.

**REVISED SCHEDULE
 CPV VACA STATION POWER PLANT PROJECT
 08-AFC-11**

Date	Events or Filings
1/28/09	AFC Data Adequate
3/12/09	Informational Hearing and Site Visit
3/5/09	Staff transmits Data Request, Set 1
4/6/09	Applicant provides Data Responses, Set 1
4/20/09	Local, state and federal agency draft determinations
4/22/09	Data Response and Issue Resolution Workshop 1
4/27/09	Parties file Status Report, No. 1
5/4/09	Staff transmits Data Request, Set 2
6/8/09	Staff transmits Data Request, Set 3 Parties file Status Report, No. 2
6/10/09	YSAQMD Makes determination on ERC package
7/9/09	Parties file Status Report, No. 3
Mid-July	Applicant Provides Data Responses, Set 2 and Set 3
7/31/09	YSAQMD files PDOC
8/7/09	Parties file Status Report No. 4
9/7/09	Staff files Preliminary Staff Assessment (PSA)
8/31/09	Local, state, and federal agency determinations and Air District FDOC
9/13/09	PSA workshop
9/21/09	Parties file Status Report, No. 5
9/30/09	Staff files Final Staff Assessment (FSA)
TBD	Evidentiary hearings
TBD	Committee issues Proposed Decision (PMPD)
TBD	Adoption Hearing on the PMPD
TBD	Committee files revised PMPD
TBD	Committee issues Final Determination

TBD = To Be Determined
 Shaded items have been completed



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

**APPLICATION FOR CERTIFICATION
FOR THE CPV VACA STATION
BY THE CPV VACAVILLE, L.L.C.**

Docket No. 08-AFC-11

PROOF OF SERVICE

(Established 2/18/2009)

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DECLARATION OF SERVICE

I, Maria Santourdjian, declare that on June 9, 2009, I served and filed copies of the attached CPV Vaca Station (08-AFC-11) Status Report 3. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[<http://www.energy.ca.gov/sitingcases/vacastation/index.html>]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-11

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

docket@energy.state.ca.us

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

Original Signature in Dockets
Maria Santourdjian