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December 14, 2007

File No. 030137-0012

### VIA FEDEX

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 07-AFC-3  
1516 Ninth Street, MS-4  
Sacramento, California 95814-5512

<b>DOCKET</b> 07-AFC-3
DATE DEC 14 2007
RECD. DEC 14 2007

Re: CPV Sentinel Energy Project; Docket No. 07-AFC-3

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find Applicant's Status Report #1 regarding the above-referenced project.

Please note that the enclosed submittal was also filed today via electronic mail to your attention.

Very truly yours,



Paul E. Kihm  
Senior Paralegal

Enclosure

cc: Michael J. Carroll, Esq. (w/ encl.)

STATE OF CALIFORNIA  
ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:	)	Docket No. 07-AFC-3
	)	
Application for Certification,	)	APPLICANT'S STATUS REPORT #1
for the CPV SENTINEL ENERGY PROJECT	)	
by CPV Sentinel, LLC	)	
	)	
	)	

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Riverside County Review

Applicant submitted a Public Use Permit application to Riverside County on November 9, 2007 in order to assist the County's evaluation of the project on an advisory basis. Applicant representatives also met with County staff on November 14, 2007 to review the Energy Commissions data requests. In a phone conversation on December 12, 2007, County staff indicated that they intended to commence review of the project in January 2008.

Status of Litigation Related to SCAQMD Rule 1309.1 – Priority Reserve

Petitioners NRDC et al. filed two separate petitions for writ of mandate under the California Environmental Quality Act (CEQA) challenging the South Coast Air Quality Management District's (SCAQMD) actions to grant certain proposed power plants access to a bank of emission offsets called the Priority Reserve.

The first petition challenged the SCAQMD's use of a CEQA exemption for thermal power plants, alleging that the exemption was not applicable and that SCAQMD should have prepared an Environmental Assessment (EA) under their certified regulatory program to evaluate the potential environmental impacts of the SCAQMD's actions. So as not to exacerbate the current energy crisis in Southern California by delaying proposed power plants' access to the Priority Reserve, the SCAQMD prepared an EA. Accordingly, the first petition has since been dismissed as moot (over Petitioners' objection) because the SCAQMD's preparation of the EA granted Petitioners the relief sought in their petition.

The second petition (Superior Court, County of Los Angeles - Central District, Case No. BS110792) challenges the adequacy of the EA. The petition was filed on August 31, 2007 and a trial date has been set for April 11, 2008. Petitioners opening brief is due on January 22, 2008, with briefing expected to be completed by March 28, 2008. Also, Real Parties in Interest Inland Energy, Mojave Desert Air Quality Management District (MDAQMD), and Antelope Valley Air Quality Management District (AVAQMD) filed a demurrer to the petition based on failure to join indispensable parties. This demurrer could resolve this litigation; the court is scheduled to hear this demurrer on February 26, 2008.

**Water Supply Agreement**

CPV Sentinel and Mission Springs Water District (MSWD) continue to hold discussions on the water supply plan including exchange of detailed draft term sheets and face to face discussions with MSWD Staff and legal counsel. The most recent face to face meeting occurred on December 13, 2007. Progress has been made on a number of elements of the agreement.

**Transmission System Engineering**

Please see the attached Status Report provided by Southern California Edison on December 12, 2007.

**Discovery Status**

Please see the attached table summarizing the status of Applicant's responses to pending data requests.

DATED: December 14, 2007

Respectfully submitted,



Michael J. Carroll  
of LATHAM & WATKINS LLP  
Counsel to Applicant

**DEVERS - SENTINEL TRANSMISSION LINE  
DESIGN AND ENGINEERING PROJECT  
LETTER AGREEMENT STATUS REPORT**

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December 12, 2007

During this initial period, SCE is reviewing the history of the project and beginning the modeling work required to perform the engineering and design work.

Sentinel Gen-Tie Location Requirements: Previous activities had determined that the new Sentinel line will terminate on position 2S of Devers Substation. To accommodate this, the Coachella line will be relocated from position 2N to position 1S. In addition, the Vista No. 1 line will be relocated from position 2S to position 6S. These termination points will be used when clearance evaluations and checks are performed.

SCE also started its review of the project gen-tie to Devers Substation location engineering, physical and safety limitations and requirements, and uploaded the previously developed survey information into SCE's Engineering models. These models will be used in the evaluation of clearances and subsequent design activities.

Development of Engineering Models for Clearance Evaluations: This effort is on-going. The related topographical survey information is in the process of being incorporated into transmission line and distribution line layouts in ARCMAP. These layouts will provide geo-referencing information for the various lines involved and for developing line profiles. The results of these activities will then be used to develop more detailed PLS CAD models. The more detailed PLS CAD models will be used for clearance evaluations and to assist in determining required catenaries.

Nathan Smith  
Southern California Edison  
626-302-1148

**SENTINEL ENERGY PROJECT  
Data Requests Tracking Table**

As Of December 13, 2007

<p>17. Please provide written confirmation from Riverside County as to whether the project would need a conditional use permit or any other land use entitlement from Riverside County but for the exclusive authority of the Energy Commission.</p>	<p>Applicant submitted a Public Use Permit application to Riverside County on November 9, 2007 in order to fund the County's evaluation of the project on an advisory basis. Applicant representatives also met with County staff on November 14, 2007 to review the Energy Commissions data requests. The County's evaluation of the project is still pending.</p>
<p>18. If the project would need a conditional use permit, please provide the conditions, if known, that Riverside County would place on the project or provide a timeline as to when these conditions would become available to staff.</p>	<p>Same as DR 17</p>
<p>19. Please provide Riverside County's position on the proposed project's consistency with its General Plan and Zoning Ordinance.</p>	<p>Same as DR 17</p>
<p>20. Please provide written confirmation from Riverside County whether, in the County's opinion, a variance could be granted and if so, what conditions Riverside County would require were it the permitting agency.</p>	<p>Same as DR 17</p>
<p>24. Please provide a copy of the final executed Large Generator Interconnection Agreement (LGIA) between the CPV Sentinel owner and the California ISO.</p>	<p>LGIA not yet executed.</p>
<p>25. Provide SCE's Operational study report based on CPV Sentinel's net 850 MW generation output under 2010 system conditions to assess potential impacts on the grid with a selected mitigation plan.</p>	<p>Same as DR 24</p>
<p>35. Please provide a copy of the Erosion Control Plan referenced in Section 7.14.4.2 of the AFC.</p>	<p>The ECP will be submitted prior to commencement of construction.</p>
<p>36. Please provide a draft DESCP containing elements A through I listed below. These elements will outline site management activities and erosion/sediment control Best Management Practices (BMP's) to be implemented during site</p>	<p>The Draft DESCP will be submitted no later than January 4, 2008.</p>

**Design Criteria and Test**

mobilization, excavation, construction, and post-construction activities. The level of detail in the draft DESCP should correspond to the current level of planning for site construction and corresponding site grading and drainage. Please provide all conceptual erosion control information for those phases of construction and post-construction that have been developed or provide a statement when such information will be available.

**A Vicinity Map:** A map(s) at a minimum scale 1"=100' shall be provided indicating the location of all Project elements and depictions of all significant geographic features including swales, storm drains, and sensitive areas.

**B Site Delineation:** All areas subject to soil disturbance, such as the construction area, laydown area, parking area, all linear facilities, and landscaping areas shall be delineated showing boundary lines and the location of all existing and proposed structures, pipelines, roads, and drainage facilities.

**C Watercourses and Critical Areas:** The DESCP shall show the location of all nearby watercourses including swales, storm drains, and drainage ditches. Indicate the proximity of those features to the Project construction, laydown, and landscape areas and all transmission and pipeline construction corridors.

**D Drainage Map:** The DESCP shall provide a topographic site map(s) at a minimum scale 1"=100' showing existing, interim, and proposed drainage systems and drainage area boundaries. On the map, spot elevations are required where relatively flat conditions exist. The spot elevations and contours shall be extended off-site for a minimum distance of 100 feet in flat terrain.

**E Drainage of Project Site Narrative:** The DESCP shall include a narrative of the drainage measures to be taken to protect soil and water resources onsite and downstream. The narrative shall include a summary of the hydraulic analysis prepared by a professional engineer/erosion control specialist. The narrative shall state the watershed size in acres that was used in the calculation of drainage measures. The hydraulic analysis should be used to support the selection of BMPs and structural controls to divert off-site and on-site drainage around or through the construction and laydown areas.

**F Clearing and Grading Plans:** The DESCP shall provide a delineation of all areas to be cleared of vegetation and areas to be preserved. The plan shall provide elevations, slopes, locations, and extent of all proposed grading as shown by contours, cross-sections, or other means. The locations of any disposal areas, fills, or other special features shall also

<p style="text-align: center;"><b>Data Requirements for SWPPP</b></p>	<p>be shown. Illustrate existing and proposed topography tying in proposed contours with existing topography.</p> <p><b>G <u>Clearing and Grading Narrative:</u></b> The DESC shall include a table with the quantities of material excavated or filled during construction in all areas such as the construction area, laydown area, and transmission and pipeline corridors. This table shall identify whether the materials removed and brought in were temporarily or permanently added or removed and the amount of such material brought in or removed.</p> <p><b>H <u>Best Management Practices Plan:</u></b> The DESC shall identify on the topographic site map(s) the location of the site specific Best Management Practices (BMPs) to be employed during each phase of construction, initial grading, project element excavation and construction, and final grading/stabilization. BMPs shall include measures designed to prevent wind and water erosion. Treatment control BMPs used during construction should enable testing of groundwater and/or stormwater runoff prior to discharge.</p> <p><b>I <u>Best Management Practices Narrative:</u></b> The DESC shall show the location (as identified in H above), timing, and a maintenance schedule of all erosion and sediment control BMPs to be used prior to initial grading, during Project excavation and construction, final grading/stabilization, and post-construction. Separate BMP implementation schedules shall be provided for each phase of construction. The maintenance schedule should include post-construction maintenance of structural control BMPs or a statement provided when such information will be available.</p>	<p>The final SWPPP will be submitted prior to commencement of construction.</p> <p>The Applicant has not yet received a will serve letter from Mission Springs Water District (MSWD).</p> <p>Response to Data Request 41 provided to the CEC on November 31, 2007.</p> <p>Same as DR 41.</p>
<p>37. Please provide a copy of the final construction SWPPP.</p>	<p></p>	<p></p>
<p>39. Please provide a will-serve letter or letter of intent for each transfer and exchange of water associated with this project.</p>	<p></p>	<p></p>
<p>41. Please describe the rules and regulations with citations that are applicable to SWP/CRA water importation by DWA, and provide either a Webpage link to each rule and regulation or a hard copy.</p>	<p></p>	<p></p>
<p>42. Please discuss in detail the reliability for recharging the water supply to the Sub-basin from sources including CRA water, SWP water, and recycled water. This detailed discussion should include:</p> <p>a) The amount of SWP water required for exchange of CRA water.</p>	<p></p>	<p></p>

<p>b) The amount of CRA water, SWP water, and recycled water that can be obtained reliably on a month-to-month and year-to-year basis.</p> <p>c) Citations from the CRA, SWP, and other water agency planning documents to support the item 'b' conclusions.</p> <p>d) The DWA's estimated annual delivery over the life of the project, based on the DWR's 2005 Final State Water Project Delivery Reliability Report.</p> <p>e) Data documenting all of the historical deliveries to the Sub-basin over the last 10 years.</p> <p>f) The effect of the following on the available water supply over the life of the project: (1) the recent Ninth Circuit Court ruling; (2) single dry and multiple dry years; and (3) increased water supply demand as the regions population and economy grow.</p>	<p>The Applicant is awaiting further information from MSWD.</p>
<p>43. Please discuss in detail the supply of water available to the MSWD and the project. This detailed discussion should include:</p> <p>f) A summary of MSWD's water supply rights, entitlements, and service contracts and commitments of its water supply to existing and planned customers, noting the: (1) priority for service; (2) maximum supply rate; (3) maximum annual volume; (4) maximum contractual deliveries for all months; and (5) the term of the agreements.</p>	<p>The Applicant will respond to this data request by no later than February 4, 2008.</p>
<p>50. Please provide a description of the site-specific hydrologic and geologic conditions of the Horton WWTP percolation site. The purpose of this request</p>	<p>The Applicant is awaiting further information from MSWD.</p>



<p>is to obtain information necessary to assess the hydrologic effect of the percolation. Please include the following information:</p> <ul style="list-style-type: none"> <li>b) Outline the current and future service area of the WWTP on an appropriately scaled map.</li> <li>d) Discuss the legal authority of the MSWD to sell wastewater on a retail basis and for the project.</li> <li>e) Include a surface map of an appropriate scale of the site(s) location and a description of current recharge rate, recharge capacity, hydrology, and hydrogeology.</li> <li>f) Identify the underlying aquifer formations using geologic cross-section(s).</li> <li>j) Historical monthly irrigation records and/or average monthly irrigation rates (provide monthly breakdown of supply sources if reclaimed water is not sole source).</li> <li>k) Please discuss the volume of wastewater expected to be produced during 2007 and 2008 and how much of that water will be used for groundwater recharge through percolation.</li> </ul>	<p>Same as DR 44</p>
<p>54. Please discuss the cumulative effect of groundwater extraction from all groundwater users on the overdraft of the Sub-basin over the life of the project (including the project's use of groundwater).</p>	<p>Same as DR 44</p>
<p>55. Using existing well data (well location and known pumping rates) please revise the model to assess the net affect of all groundwater extraction from the Sub-basin over the life of the project.</p>	<p>Same as DR 44</p>
<p>61. Given the reliability issues of imported water (e.g., SWP and CRA supplies) for recharge of the Sub-basin, please revise the model using two separate conditions: (1) a conservative baseline of guaranteed water supply for groundwater recharge, and all assumptions included; and (2) a reasonably foreseeable water supply available for groundwater recharge, including all assumptions used. In other words, in the model, please provide a worst-case scenario and a most-likely scenario for recharge water supply and how this affects the Sub-basin's overdraft condition.</p>	<p>Same as DR 44</p>

**STATE OF CALIFORNIA  
ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:	)	Docket No. 07-AFC-3
	)	
Application for Certification, for the CPV SENTINEL ENERGY PROJECT <i>Power Plant Licensing Case</i>	)	<b>ELECTRONIC PROOF OF SERVICE LIST</b>
	)	
	)	(Revised October 15, 2007)
	)	

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Transmission via electronic mail and by depositing one original signed document with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the following:

DOCKET UNIT

**CALIFORNIA ENERGY COMMISSION**  
Attn: DOCKET NO. 07-AFC-3  
1516 Ninth Street, MS-4  
Sacramento, California 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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**CPV SENTINEL ENERGY PROJECT**  
**CEC Docket No. 07-AFC-3**

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CPV SENTINEL ENERGY PROJECT  
CEC Docket No. 07-AFC-3

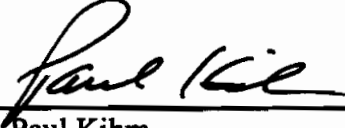
**DECLARATION OF SERVICE**

I, Paul Kihm, declare that on December 14, 2007, I deposited a copy of the attached:

**APPLICANT'S STATUS REPORT #1**

with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the California Energy Commission. I further declare that transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service List above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 14, 2007, at Costa Mesa, California.

  
\_\_\_\_\_  
Paul Kihm