

Memorandum

To: James D. Boyd
Presiding Member, Sentinel Energy
Project Committee

Date : August 30, 2010

Telephone: (916) 654-3951

From: Caryn Holmes, Staff Counsel IV
Chief Counsel's Office
California Energy Commission
1516 Ninth Street
Sacramento CA 95814-5512

DOCKET	
07-AFC-3	
DATE	<u>AUG 30 2010</u>
RECD.	<u>AUG 30 2010</u>

Subject: CPV Sentinel (Docket No. 07-AFC-3)

Due to furloughs, California Energy Commission (Energy Commission) staff was unable to file a Reply Brief in the Sentinel Energy Project proceeding on Friday, August 27, 2010. Staff believes it fully addressed all relevant issues in its Opening Brief, filed on August 13, 2010. Nonetheless, staff would like to underscore its support for the conclusions reached in the applicant's Reply Brief. There is no reasonable interpretation of applicable federal and state law that would require the Energy Commission to withhold a decision on this Application for Certification until the Environmental Protection Agency approves the proposed amendment to the State Implementation Plan reflecting the transfer of offsets to the Sentinel project pursuant to the AB 1318 Tracking System. The Energy Commission has rejected similar arguments in the past and should reject Intervener's arguments here. The Sentinel Energy Project Committee should complete the air quality portion of the Presiding Member's Proposed Decision and place it expeditiously before the full Commission for its consideration and decision.



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 SENTINEL ENERGY PROJECT
BY THE CPV SENTINEL, L.L.C

DOCKET No. 07-AFC-3

PROOF OF SERVICE
(Revised 7/1/2010)

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DECLARATION OF SERVICE

I, Chester Hong, declare that on August 30, 2010, I served and a filed copies of the attached "**Staff's Reply Brief Memo**", dated August 30, 2010. The original documents, filed with the Docket Unit, are 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/sentinel/index.html>]

The documents have 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;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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. 07-AFC-3
1516 Ninth Street, MS-4
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I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.


CHESTER HONG
Chief Counsel's Office