Staff submits the following Prehearing Conference Statement in response to the Committee’s April 29, 2010, notice.

Staff has filed its testimony and is prepared to go to hearing on such matters. It is unaware of any issues that are incomplete or require adjudication. It is aware that intervenors have, both in their intervention filings and in other statements to the Committee, raised very general issues concerning the validity of the air quality credits that would be transferred for the Sentinel project. However, there is no specificity to the issues raised thus far. Intervenors state that they will provide such specificity after they receive further information from the South Coast Air Quality Management District (SCAQMD) pursuant to Public Records Act requests.

Staff testimony will be presented by Steve Radis. That testimony has been docketed and provided to the parties. Staff will request that SCAQMD also provide one or more witnesses to address any of the issues that intervenors may eventually identify that pertain to the air district or its process. Staff will also request that U.S. EPA provide a witness, but will do so only after the Committee has selected a hearing date.

Staff understands that SCAQMD will be providing the information intervenors have requested this week. Staff thus requests that the hearing be scheduled in June or July,
as vacation schedules and demands on Staff resources make August a very difficult month to provide legal support. Staff prefers the June 1 hearing date, but is also able to attend hearings on other dates suggested by the Hearing Advisor on July 1, July 15, July 16, July 17, and July 21. Staff is likewise amenable to any other hearing date prior to July 21. The Staff witness is unavailable for the rest of July and early August because of vacation. Staff counsel will be unavailable, either because of vacation or other duties, for the remainder of August. Accordingly, Staff urges a timely hearing on the June and July dates set forth above, or on some other date prior to July 21.

Briefing schedules are premature until that hearing date is set.

Date: May 13, 2010              Respectfully submitted,

/s/ Richard C. Ratliff
Richard C. Ratliff
Staff Counsel IV
California Energy Commission
1516 9th St., MS-14
Sacramento, CA
Ph: (916) 653-1653
E-mail: dratliff@energy.state.ca.us
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 3/24/2010)

APPLICANT

CPV Sentinel, LLC
Mark O. Turner, Director
Competitive Power Ventures, Inc.
55 2nd Street, Suite 525
San Francisco, CA  94105
mturner@cpv.com

APPLICANT'S CONSULTANT

Dale Shileikis - URS Corporation
221 Main Street, Suite 600
San Francisco, CA  94105-1916
dale_shileikis@urscorp.com

COUNSEL FOR APPLICANT

Michael J. Carroll
LATHAM & WATKINS LLP
650 Town Center Drive, 20th Floor
Costa Mesa, CA  92626-1925
michael.carroll@lw.com

INTERVENORS

Angela Johnson Meszaros
CA Communities Against Toxics
1107 Fair Oaks Avenue, #246
South Pasadena, CA  91030
Angela@CleanAirMatters.net

*Communities for a Better Environment
c/o Shana Lazerow
1440 Broadway, Suite 701
Oakland, California 94612
slazerow@cbecal.org

ENERGY COMMISSION

JAMES D. BOYD
Vice Chair and Presiding Member
jboyd@energy.state.ca.us

Kenneth Celli, Hearing Officer
kcelli@energy.state.ca.us

John Kessler, Project Manager
jkessler@energy.state.ca.us

Caryn Holmes, Staff Counsel
cholmes@energy.state.ca.us

Jennifer Jennings
Public Adviser
publicadviser@energy.state.ca.us

INTERESTED AGENCIES

California ISO
E-mail preferred
e-recipient@caiso.com

Mohsen Nazemi, PE
South Coast AQMD
21865 Copley Drive
Diamond Bar, CA  91765-4178
mnazemi@aqmd.gov
DECLARATION OF SERVICE

I, Lynn Tien-Tran, declare that on May 13, 2010, I served and filed a copy of the attached ENERGY COMMISSION STAFF PREHEARING CONFERENCE STATEMENT FOR AIR QUALITY HEARING. 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/sentinel/index.html]

The documents 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;

____ 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
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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.

/s/ Lynn Tien-Tran

2