STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF: ) 
APPLICATION FOR CERTIFICATION, ) 
FOR THE CPV SENTINEL ENERGY ) 
PROJECT BY CPV SENTINEL, LLC ) 
DOCKET NO. 07-AFC-3
APPLICANT'S PREHEARING CONFERENCE STATEMENT ON THE LIMITED ISSUE OF AIR QUALITY

On behalf of CPV Sentinel, LLC (Applicant) for the CPV Sentinel Energy Project (07-AFC-3) (Project), and pursuant to 20 C.C.R. § 1718.5 and the Revised Notice of Prehearing Conference & Evidentiary Hearing on the Limited Issue of Air Quality, dated April 29, 2010, Applicant hereby submits its Prehearing Conference Statement regarding Air Quality. Applicant is prepared to proceed to evidentiary hearing on the limited issue of Air Quality. From Applicant's perspective, no substantive issues remain in dispute.

The Revised Notice of Prehearing Conference & Evidentiary Hearing on the Limited Issue of Air Quality, dated April 29, 2010, requested that the Prehearing Conference Statement address the eight issues identified below.

1. The Air Quality issues that are complete and ready to proceed to evidentiary hearing:

   All issues related to Air Quality are ready to proceed to evidentiary hearing.

2. The Air Quality issues that are not complete and not yet ready to proceed to evidentiary hearing, and the reasons therefore:

   None. All issues related to Air Quality are complete and ready to proceed to evidentiary hearing.
3. The Air Quality issues that remain disputed and require adjudication, and the precise nature of the dispute for each topic:

None. From Applicant’s perspective, no issues related to Air Quality remain in dispute or require adjudication.

4. The identity of each witness sponsored by each party (note: witnesses must have professional expertise in the discipline of their testimony); the topic area(s) which each witness will present; a brief summary of the testimony to be offered by each witness; qualifications of each witness; and the time required to present direct testimony by each witness:

Applicant previously docketed testimony by declaration regarding Air Quality by Mark Turner, CPV Sentinel, LLC (submitted on April 21, 2010; Docket No. 56361) and John Lague, URS (submitted on April 21, 2010; Docket No. 56361), including supplemental rebuttal testimony (submitted on May 6, 2010; Docket No. pending). Mr. Turner and Mr. Lague’s qualifications as experts are attached to their previously filed declarations. Applicant does not anticipate needing any time for live direct testimony from its witnesses at the evidentiary hearing. In the event that other Parties request live testimony, Applicant reserves the right to modify its Prehearing Conference Statement to include additional witnesses and/or time for direct or cross-examination of witnesses.

5. Air Quality issues upon which a party desires to cross-examine witnesses, a summary of the scope of each such cross-examination, and the time desired for each such cross-examination:

Based on the testimony filed by CEC Staff, Applicant does not anticipate needing any time to cross-examine CEC Staff witnesses. Interveners have not filed any testimony or identified any witnesses. In the event that interveners request, and are permitted, to present witnesses at the evidentiary hearing, Applicant reserves the right to modify its Prehearing Conference Statement to include additional witnesses and/or time for direct or cross-examination of witnesses.

6. A list identifying exhibits and declarations that each party intends to offer into evidence (see following section on formats):

All exhibits and declarations Applicant intends to offer into evidence are identified in Appendix A, attached.

7. Proposals for briefing deadlines, impact of vacation schedules, and other scheduling matters:

Applicant does not anticipate the need for briefing. Applicant is not aware of any matters, beyond those of which the Committee is already aware, that would affect scheduling.
8. *Any proposed modifications to the proposed Conditions of Certification listed in the Final Staff Analysis (FSA) Air Quality section based upon enforceability, ease of comprehension, and consistency with the evidence:*

Applicant's comments on the FSA (submitted on May 3, 2010; Docket No. 56521) include proposed minor revisions to the Conditions of Certification.

DATED: May 13, 2010

Respectfully submitted,

[Signature]

Michael J. Carroll
LATHAM & WATKINS LLP
APPENDIX A
AMENDED TENTATIVE EXHIBIT AND DECLARATION LIST
# APPLICANT'S AMENDED
TENTATIVE EXHIBIT AND DECLARATION LIST
(AIR QUALITY ONLY)

## CPV SENTINEL ENERGY POWER PLANT PROJECT
Docket No. 07-AFC-03
(as of 5/13/10)

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May 13, 2010

VIA FEDEX

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

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 Prehearing Conference Statement on the Limited Issue of Air Quality.

Please note that the enclosed submittal was filed today via electronic mail to your attention and to all parties on the attached proof of service list.

Very truly yours,

[Signature]

Paul E. Kihm
Senior Paralegal

Enclosure

cc: CEC 07-AFC-3 Proof of Service List (w/encl., via e-mail and U.S. Mail)
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, PROOF OF SERVICE
for the CPV SENTINEL ENERGY PROJECT (March 24, 2010)

APPLICANT

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Project Manager
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Vice President
URS Corporation
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E-mail preferred
e-recipient@caiso.com

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South Coast Air Quality Management District
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**Caryn Holmes**  
Staff Counsel  
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Sacramento, California 95814-5512  
cholmes@energy.state.ca.us
DECLARATION OF SERVICE

I, Paul Kihm, declare that on May 13, 2010, I served and filed copies of the attached:

APPLICANT'S PREHEARING CONFERENCE STATEMENT ON THE LIMITED ISSUE OF AIR QUALITY

to all parties identified on the Proof of Service List above in the following manner:

California Energy Commission Docket Unit

☑️ Transmission by depositing one original paper copy with FedEx overnight mail delivery service at Costa Mesa, California, with delivery fees thereon fully prepaid and addressed to the following:

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

For Service to All Other Parties

☑️ Transmission via electronic mail to all email addresses on the Proof of Service list; and

☑️ by depositing one paper copy with the United States Postal Service via first-class mail at Costa Mesa, California, with postage fees thereon fully prepaid and addressed as provided on the Proof of Service list to those addresses NOT marked “email preferred.”

I further declare that transmission via U.S. Mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 13, 2010, at Costa Mesa, California.

[Signature]

Paul Kihm