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March 3, 2010

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DOCKET 09-AFC-9

**DATE** MAR 03 2010

RECD. MAR 09 2010

California Energy Commission Attn: Docket No. 09AFC9 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512

Re: 09-AFC-9 Ridgecrest Solar Power Project

Dear Docket Clerk:

DANIEL L. CARDOZO

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Enclosed are an original and one copy of Comments of California Unions for Reliable Energy on the Proposed Revisions to the Committee Schedule. Please process the document and provide us with a conformed copy in the envelope enclosed.

Thank you.

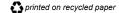
Sincerely,

/s/

Carol Horton Administrative Assistant

:cnh Enclosures

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#### STATE OF CALIFORNIA

# **Energy Resources Conservation** and Development Commission

In the Matter of:

The Application for Certification for the Ridgecrest Solar Power Plant Project

Docket No. 09-AFC-9

## COMMENTS OF CALIFORNIA UNIONS FOR RELIABLE ENERGY ON THE PROPOSED REVISIONS TO THE COMMITTEE SCHEDULE

March 3, 2010

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Attorneys for the CALIFORNIA UNIONS FOR RELIABLE ENERGY

California Unions for Reliable Energy ("CURE") submits these comments on the Proposed Revised Committee Schedule, pursuant to the Committee's February 26, 2010 email.

CURE agrees that a March 26, 2010 deadline for the publication of the Staff Assessment provides a more realistic review timeframe, assuming that Commission Staff, the BLM, and the Department of Energy are able to meet their internal deadlines in the coming weeks. However, CURE is concerned that the Staff Assessment will be lacking in significant information necessary for an adequate evaluation of the Project under the California Environmental Quality Act ("CEQA"). Missing information includes baseline information required for an adequate analysis of significant impacts to biological resources impacts and the identification of avoidance measures, alternatives and required mitigation to address those impacts.

Since the Energy Commission has taken the extraordinary step of eliminating the preliminary staff assessment, and in turn eliminating much of the public and Intervenors' opportunity to provide comments prior to a final staff assessment, it would be more expedient and logical for Commission Staff to wait until it has obtained all necessary information and has completed its analysis before releasing the Staff Assessment. If Staff issues its assessment prior to completing its analysis, the Committee would be required to bifurcate the proceeding and require circulation of an addendum for public review prior to additional evidentiary hearings. That eventuality is

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likely here as the Project presents significant challenges and Staff is attempting to adhere to a fast-track schedule.

Additionally, the Staff Assessment should be complete prior to its publication in order to provide the public with a clear understanding of what is being proposed and to avoid duplication of efforts.

CURE also agrees with the proposal to hold evidentiary hearings with regard to disputed matters in Ridgecrest. Local hearings would allow greater access for those who will be directly affected by matters decided in this proceeding.

The proposed changes to the Committee schedule help further CEQA's requirement that all public agencies examine fully the environmental consequences of actions they take. However, CURE urges the Committee to adjust the schedule if the Staff Assessment is not complete prior to its publication in order to avoid duplication of efforts and an inefficient use of limited resources.

Dated: March 3, 2010 Respectfully submitted,

/s/

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## DECLARATION OF SERVICE RIDGECREST SOLAR POWER PROJECT Docket No. 09-AFC-9

I, Carol Horton, declare that on March 3, 2010, I served and filed copies of the attached COMMENTS OF CALIFORNIA UNIONS FOR RELIABLE ENERGY ON THE PROPOSED REVISIONS TO THE COMMITTEE SCHEDULE dated March 3, 2010. The original document, filed with the Docket Office, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: <a href="http://www.energy.ca.gov/sitingcases/solar\_millennium\_ridgecrest/Ridgecrest\_POS.pdf">http://www.energy.ca.gov/sitingcases/solar\_millennium\_ridgecrest/Ridgecrest\_POS.pdf</a>.

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 Office via email and U.S. Mail as addressed below.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sacramento, California on March 3, 2010.

## \_\_\_\_\_/s/ Carol Horton

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