

DOCKET 09-AFC-9

Penelope LePome
635 N. Rio Bravo Street
Ridgecrest CA 93555
760 375-5287

Email: plepome@earthlink.net

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Eric Solorio, Project Manager
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, California 95814-5512

Docket Number: 09-AFC-9
Ridgecrest Solar Power Project

Re: Solar Trust of America (formerly Solar Millennium) request for
Exclusive Jurisdiction for an Energy Facility Utilizing Photovoltaic Technology

Mr. Solorio:

This is a comment on Solar Trust of America's (STA) request for the CA Energy Commission (CEC) to have the exclusive jurisdiction for STA's design of a photovoltaic (PV) solar project. The Commission must deny this request as photovoltaic projects or projects under the 250MW threshold do not fall under CEC jurisdiction. Furthermore, the CEC is not empowered to decide what falls within their jurisdiction. Therefore, such a request is without merit on the face of it. The STA must initiate an application to the appropriate authority in the correct jurisdiction once they have determined the design and location of their project or abandon the project altogether.

Furthermore, it has been reported that BLM returned the Ridgecrest Solar Power Project (RSPP) application money and considers the RSPP application terminated. If the proposed project (the specifics have not yet been revealed) is still on BLM land, does the CEC have authority to grant EXCLUSIVE jurisdiction for a project there? I think not.

There are four reasons for STA to submit a new application to the appropriate authority:

1. STA is substantially a different company than Solar Millennium
2. The project is an entirely new design that has not yet been revealed
3. The environmental report is (or will be) outdated and a new report needs to be generated
4. The proposed location is under the jurisdiction of the Bureau of Land Management (BLM) land and, therefore, BLM cannot be denied involvement outside the Interior Department.

On the face of it, the STA request is without merit and must not be granted.

Sincerely,

Penelope LePome