

STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission

DOCKET	
09-AFC-9	
DATE	MAY 04 2011
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In the Matter of:

APPLICATION FOR CERTIFICATION
FOR THE (SOLAR MILLENIUM)
RIDGECREST SOLAR POWER
PROJECT

DOCKET NO. 09-AFC-9

**INTERVENOR CENTER FOR BIOLOGICAL DIVERSITY'S OPPOSITION TO
THE REQUEST FOR MODIFICATION OF SUSPENSION OF THE RSPP**

May 4, 2011

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THE REQUEST FOR MODIFICATION OF SUSPENSION OF THE RSPP**

California Energy Commission
Siting, Transmission and Environmental Protection Division
1516 Ninth Street,
Sacramento, CA 95814

Dear Committee,

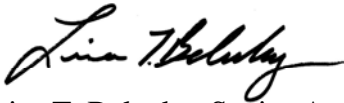
On March 23, 2011, Solar Millenium submitted a letter requesting that the Committee continue the suspension of the RSPP for a period of 18 months. The basis for the request to modify the revised scheduling order is "to wait for the outcome of the DRECP [Desert Renewable Energy Conservation Plan]and to use this as the basis for determining how to proceed with the RSPP AFC Proceedings". As parties in this proceeding, we oppose the request for modification. The original suspension was approved in order to provide time for an applicant-funded study of Mojave ground squirrel to be undertaken. That study has now been abandoned by the applicant.

Even without that study, based on data presented at CEC workshops and professional opinion of your staff and other experts, it is clear that the proposed project site has important conservation values for the rare and threatened species that the proposed project site has already been determined to support. While it is clear to us that those values will ultimately be formally recognized in the DRECP, there is no need for the Committee to wait an additional 18 months or wait for a final DRECP before acting to make a determination on this application. The evidence already before the Commission shows that the application should be denied because of the high conservation value of these lands and the unacceptable impacts that would occur if the

proposed project were constructed on this site. Therefore, we ask that the Committee deny the request to modify and continue the suspension of the application and consider termination of this application when reviewing the request for modification of suspension.

Dated: May 4, 2011

Respectfully submitted,



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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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APPLICATION FOR CERTIFICATION
For the *RIDGECREST SOLAR*
POWER PROJECT

Docket No. 09-AFC-9

PROOF OF SERVICE
(Revised 11/10/2010)

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DECLARATION OF SERVICE

I, Deene Anker, declare that on, 5/4/11, I served and filed copies of the attached letter. 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/solar_millennium_ridgecrest].

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 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. 09-AFC-9
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.

