

Memorandum

Date: June 21, 2011
Telephone: (916) 651-0966

To: Carla Peterman, Commissioner and Presiding Member
 Karen Douglas, J.D., Commissioner and Associate Member

From: California Energy Commission – Eric Solorio
 1516 Ninth Street Project Manager
 Sacramento, CA 95814-5512

DOCKET

11-AFC-1

DATE June 21 2011

RECD. June 21 2011

Subject: PIO PICO ENERGY CENTER (11-AFC-1), STAFF'S RESPONSE TO APPLICANT'S REQUEST FOR AN EXTENSION OF TIME; AND OBJECTIONS TO STAFF'S DATA REQUESTS

On June 14, 2011, the applicant filed a request to extend the data response deadline to July 15, 2011. Staff hereby agrees to applicant's request for an extension of time. In the same letter, applicant formally objected to several of staff's data requests: CUL-35, LAND-38, VIS-51, VIS-52, VIS-53 and VIS-55. After further consideration staff is hereby withdrawing data request LAND-38 and revising CUL-35 as follows:

CUL-35 (revised)

Staff would not require that the applicant survey the buffer areas outside the right-of-way with the following stipulations:

1. Staff requests that the applicant provide a parcel map, which depicts the roadway right-of-way and adjacent parcels along the areas where the proposed gas line route would be constructed.
2. Staff requests that the applicant submit a written statement, which confirms that the maximum limit of construction for the proposed gas line route (including all digging, clearing, grubbing, parking, driving, or any other construction related ground disturbance) will remain within the roadway right-of-way only.
3. The applicant would be required to conduct archaeological surveys *within the roadway right-of-way* in which the proposed gas line would be constructed. The results of the survey are to be provided to staff as an addendum to the Cultural Resources Technical Report.
4. Staff requests that the applicant provide project plans depicting the footprint of the proposed linear facility and the extent of construction work (including, the location and width of the trench, any staging/laydown areas, and vehicle access, such as parking/driving).
5. Staff will prepare a condition of certification that limits all construction or related activities to the roadway right-of-way only for the construction of the proposed gas line. Additional surveys would be required if the applicant later determines that additional land/area beyond the right-of-way limits is necessary to perform the construction of the linear facility.

Regarding data requests VIS-51, VIS-52, VIS-53 and VIS-55, staff continues to believe the information is necessary to analyze the Application for Certification. The applicant indicated in their letter that although they object to the data requests listed above, applicant will generate data responses to the best of their ability. Staff is hopeful the applicant's data responses will meet staff's needs and staff reserves its right to file a motion to compel if necessary.

Cc: Pio Pico Energy Center (11-AFC-1), Proof of Service List

PROOF OF SERVICE (REVISED 5/12/11) FILED WITH
 ORIGINAL MAILED FROM SACRAMENTO ON 6/21/11

MS



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION
FOR THE *PIO PICO ENERGY CENTER, LLC***

**Docket No. 11-AFC-1
PROOF OF SERVICE
(Revised 5/12/2011)**

APPLICANT

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DECLARATION OF SERVICE

I, Maria Santourdjian, declare that on June 21, 2011, I served and filed copies of the Staff's Response to Applicant's Request for an Extension of Time; and Objections to Staff's Data Requests, dated June 21, 2011. 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:

[\[http://www.energy.ca.gov/sitingcases/piopico/index.html\]](http://www.energy.ca.gov/sitingcases/piopico/index.html).

The documents have 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. 11-AFC-1
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.

Originally Signed by
Maria Santourdjian