

STATE OF CALIFORNIA
**Energy Resources Conservation
and Development Commission**

California Energy Commission

DOCKETED
11-AFC-01

TN # 66139

JULY 06 2012

In the Matter of:

**The Application for Certification for the
PIO PICO ENERGY CENTER
PROJECT**

Docket No. 11-AFC-01

**PIO PICO ENERGY CENTER'S
PREHEARING CONFERENCE STATEMENT**

July 6, 2012

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STATE OF CALIFORNIA

**Energy Resources Conservation
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**PIO PICO ENERGY CENTER LLC'S PREHEARING CONFERENCE
STATEMENT**

I. INTRODUCTION

Pursuant to the Committee's Notice of Prehearing Conference and Evidentiary Hearing dated June 15, 2012 (the "June 15th Notice"), Applicant Pio Pico Energy Center LLC ("Applicant") herein provides its Prehearing Conference Statement in support of Pio Pico Energy Center Project ("PPEC").

II. TOPICS COMPLETE - READY FOR EVIDENTIARY HEARINGS

Applicant believes all resource areas have been adequately analyzed and any potential impacts thoroughly evaluated. In addition, where necessary, mitigation measures have been proposed to minimize any impacts to environmental resources. To that end, Applicant believes all topics are ready for evidentiary hearings.

III. TOPICS NOT READY FOR EVIDENTIARY HEARINGS

As set forth in the previous section, Applicant believes all topics are complete and ready to proceed to evidentiary hearings.

IV. DISPUTED TOPICS REQUIRING ADJUDICATION

Inasmuch as Applicant believes the topic of Noise and Vibration can be resolved prior to the scheduled July 23, 2012 Evidentiary Hearing, Applicant reserves its option to

present evidence in the issue areas of both Noise and Vibration and Land Use in support of its position regarding this topic. Nevertheless, Applicant summarizes below the nature of the dispute for this topic.

The FSA included language regarding the proposed East Mesa Detention Facility (“EMDF”) and set forth noise limits allegedly applicable at the property boundary for that facility. (FSA at 4.6-4.) Staff’s proposed Condition of Certification NOISE-4 requires that PPEC noise levels not “exceed 62.5 dBA between 7am and 10pm and 60 dDA between 10pm and 7am measured at EMDF.” (FSA at 4.6-14 – 4.6-15.) Applicant disagrees with the proposed limits required at EMDF and the required noise survey at EMDF as such limits are not allowed by nor are they consistent with LORS. Further, Applicant contests the inclusion of certain noise limits allowed at LT-1 and LT-2 in NOISE-4 because such limits are based solely on Applicant’s initial predicted/expected noise levels and are far more stringent than LORS.

Applicant is diligently trying to communicate with a potential party, Corrections Corporation of America (“CCA”), whom Applicant believes is a source of the position taken regarding the EMDF in the FSA (specifically, in NOISE-4). Applicant is also willing to discuss this topic with Staff counsel in an effort to reach agreement on this issue prior to the evidentiary hearings. Although Applicant will make itself available the morning of July 23, 2012, Applicant believes that a resolution of this topic will occur prior to evidentiary hearings after discussing the topic with Staff and CCA. Therefore, Applicant believes that scheduling a formal workshop (as proposed by Staff in its July 5, 2012 Prehearing Conference Statement) is not necessary.

V. APPLICANT’S WITNESSES

A. Witnesses by Topic Area and Time Required to Present Direct Testimony

Applicant’s witnesses for all topics are identified in the table below. However, Applicant believes only one issue (Noise and Vibration) will require live witnesses if the parties are unable to reach agreement on the topic prior to the evidentiary hearing. Thus, on the topic of Noise and Vibration, Applicant will be prepared to present direct testimony and reserves the right to cross-examine witnesses for the parties on this same topic. As such, the time required to present direct testimony for that issue is reflected within the table. All other witnesses will provide testimony by declaration, which was submitted with Applicant’s Opening Testimony on June 26, 2012. (See Exhibits 99 through 113.)¹

Topic Area	Witness(es)	Estimated Time for Direct
Air Quality	Gary Rubenstein; Steve Hill	NA
Alternatives	David Jenkins	NA
Biological Resources	Lincoln Hulse; David Jenkins	NA
Cultural Resources	Rachael Nixon	NA
Efficiency	Craig Kebodeaux	NA
Facility Design	Craig Kebodeaux	NA
Geological Resources	Ray Rice	NA
Hazardous Materials	Tricia Winterbauer	NA
Land Use ²	Brian Mooney	Mr. Mooney will be prepared to present testimony relating to the compatibility of noise levels and land use designations. Mr. Mooney’s full testimony is set forth in Attachment A to Applicant’s Rebuttal Testimony. In addition, Mr. Mooney’s expert

¹ The witnesses have provided their respective professional expertise for each topic presented in the table above. For the topic of Noise and Vibration, the statement of qualifications for Messrs. Theriault and Mooney are presented with their respective declarations in support of Applicant’s rebuttal testimony for this same topic, each of which is presented in Attachment B to Applicant’s Rebuttal Testimony.

² As related to noise.

Topic Area	Witness(es)	Estimated Time for Direct
		qualifications are set forth in an attachment to his declaration, which is attached as Attachment B to Applicant's Rebuttal Testimony (see also, Exhibit 122, Declaration of Brian Mooney). Applicant anticipates needing 15 minutes for direct examination of this witness, if needed.
Noise	Michael Theriault	Mr. Theriault will be prepared to present testimony relating to the noise levels of the PPEC during operations.). Mr. Theriault's full testimony is set forth in Attachment A to Applicant's Rebuttal Testimony. In addition, Mr. Theriault's expert qualifications are set forth in an attachment to his declaration, which is attached as Attachment B to Applicant's Rebuttal Testimony (see also, Exhibit 121, Declaration of Michael Theriault). Applicant anticipates needing 15 minutes for direct examination of this witness, if needed.
Paleontological Resources	Joe Stewart	NA
Public Health	Gary Rubenstein; Steve Hill	NA
Reliability	Craig Kebodeaux	NA
Socioeconomics	Jennifer Wu	NA
Soils	Ray Rice	NA
Traffic & Transportation	Noel Casil	NA
Trans. System Design	Craig Kebodeaux	NA
Trans. Line Safety & Nuisance	Craig Kebodeaux	NA
Visual Resources	Angela Leiba	NA
Waste Management	Tricia Winterbauer	NA
Water Resources	Anne Connell	NA
Worker Health & Safety	Tricia Winterbauer	NA

VI. WITNESSES TO TESTIFY VIA TELEPHONE

At this time, Applicant will not proffer witnesses via telephone. Mr. Mooney and Mr. Theriault will provide live, in-person testimony, if the issue set forth in Section IV above is not resolved prior to the evidentiary hearing on July 23, 2012. However,

Applicant reserves the option of providing witness testimony via telephone by any of the witnesses listed above if it is determined that the parties cannot resolve a particular topic during the Prehearing Conference.

VII. CROSS-EXAMINATION LIST

Applicant currently does not wish to cross-examine any witness presented by Staff or Mr. Simpson. Applicant believes all topics can be resolved at the Prehearing Conference and, thus, any presentation of evidence can be presented by the Applicant's representative and legal counsel during the evidentiary hearing on July 23. Nevertheless, as Applicant has not reviewed the parties' respective rebuttal testimony, due July 6, Applicant reserves the right to cross-examine witnesses identified by the parties' should the need arise.

VIII. EXHIBITS

A. Applicant's Exhibits

Applicant submitted its preliminary list of exhibits with its Opening Testimony on June 26, 2012; such exhibits were enumerated as Exhibit 1 through and including Exhibit 113. A Preliminary Exhibit List also was provided to the parties as Attachment C to Applicant's Opening Testimony. Applicant has since revised its list to include materials docketed since that date (see Exhibits 114 through 129), a copy of which is attached hereto as **Attachment A**. Finally, Applicant has further revised its exhibit list pursuant to the June 15th Notice to include a column identifying to topic to which each exhibit applies. For example, Exhibit 1 (the application for certification, applies to ALL topics). For those topics not necessarily related to an environmental or technical topic, Applicant has identified such exhibit as applying to a "general" category. The categorized Exhibit List is attached herewith as **Attachment B**.³

³ The Exhibit Lists have also been presented with Applicant's Rebuttal Testimony as Attachment C thereto.

B. Parties' Exhibits

Applicant does not require paper copies of any exhibits proffered by any party.

IX. PROPOSAL FOR BRIEFING DEADLINES AND OTHER SCHEDULING MATTERS

A. Post-Evidentiary Hearing Briefing of Remaining Contested Issues

Applicant's representatives and its legal and consultant team is prepared to move forward with the schedule as presented in the June 15th Notice. In addition, Applicant has reviewed the current schedule, contested issues, and parties' testimony and is confident no briefing will be necessary. Nevertheless, should it become clear that legal briefing is warranted beyond the evidentiary hearings, Applicant proposes that any such briefing is closed on or before August 15, 2012. To that end, Applicant offers the following schedule but is amenable to a shorter briefing schedule if the Committee deems necessary:

DATE	ACTION
July 23, 2012	Evidentiary Hearing in Chula Vista, CA
August 6, 2012	Parties Submit Opening Briefs on Remaining Contested Issues (only those issues not resolved prior to or during evidentiary hearings)
August 15, 2012	Parties Submit Reply Briefs on Remaining Contested Issues (only those issues not resolved prior to or during evidentiary hearings)

B. Vacation Schedules and Other Scheduling Matters

Applicant has no conflicts with the current proceeding schedule.⁴ Therefore,

Applicant urges the Committee to maintain the schedule as presented in the June 15th Notice so that the PPEC AFC can move forward toward receiving a final decision.

X. PROPOSED MODIFICATIONS TO CONDITIONS OF CERTIFICATION

In its Opening Testimony, Applicant presented proposed modifications to a single Condition of Certification – NOISE-4. Such modifications, presented in Applicant's Exhibit 114 (Attachment A), are discussed in Applicant's Opening and Rebuttal

⁴ The only date that Applicant's counsel is unavailable is August 31, 2012.

Testimony, and are presented below for the Committee and Hearing Officer's convenience:

NOISE-4 The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that the operation of the project will not cause the noise levels due to plant operation alone, during the four quietest consecutive hours of the nighttime, to exceed an average of ~~36~~45 dBA Leq measured at or near monitoring location LT-1 and an average of ~~34~~39 dBA Leq measured at or near monitoring location LT-2.

~~Also, the project design and implementation shall include appropriate noise mitigation measures adequate to ensure that the operation of the project will not cause the noise levels due to plant operation alone to exceed 62.5 dBA Leq between 7 a.m. and 10 p.m. and 60 dBA Leq between 10 p.m. and 7 a.m. measured at EMDF.~~

The project shall also ensure that it includes any required noise mitigation measures to ensure it does not exceed 80 dBA at the project property line during plant operations.

No new pure-tone components shall be caused by the project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints.

A. When the project first achieves a sustained output of 90% or greater of rated capacity, the project owner shall conduct a community noise survey at monitoring location LT-1 or at a closer location acceptable to the CPM. This survey shall also include measurement of one-third octave band sound pressure levels to ensure that no new pure-tone noise components have been caused by the project.

During the period of this survey, the project owner shall conduct a short-term survey of noise at the monitoring location LT-2 or at a closer location acceptable to the CPM. The short-term noise measurements at this location shall be conducted continuously during the nighttime hours of 10:00 p.m. to 7:00 a.m.

~~Also during the period of this survey, the project owner shall conduct a short-term survey of noise at EMDF. The short-term noise measurements at this location shall be conducted continuously during the nighttime hours of 10:00 p.m. to 7:00 a.m. and also during the daytime hours of 7:00 a.m. to 10:00 p.m.~~

The measurement of power plant noise for the purposes of demonstrating compliance with this condition of certification may alternatively be made at a location, acceptable to the CPM, closer to the plant (e.g., 400 feet from the plant boundary) and this measured level then mathematically extrapolated to determine the plant noise contribution at the affected residence. The character of the plant noise shall be evaluated at the affected receptor locations to determine the presence of pure tones or other dominant sources of plant noise.

Also during the period of the above survey, the project owner shall conduct a short-term survey of noise levels at several points on its property lines, and, if the proposed detention facility has been constructed, an emphasis on the North property line.

- B. If the results from the noise survey indicate that the power plant noise at the affected receptor sites (LT-1 or LT-2) exceeds the above values during the four quietest consecutive hours of the nighttime, mitigation measures shall be implemented to reduce noise to a level of compliance with these limits.
- C. If the results from the **property line** noise survey indicate that the power plant noise ~~at EMDF exceeds the above values~~ **80 dBA** during the measurement hours, mitigation measures shall be implemented to reduce noise to a level of compliance with these limits.
- D. If the results from the noise survey indicate that pure tones are present, mitigation measures shall be implemented to eliminate the pure tones.

Verification: The survey shall take place within 45 days of the project first achieving a sustained output of 90% or greater of rated capacity. Within 15 days after completing the survey, the project owner shall submit a summary report of the survey to the CPM. Included in the survey report will be a description of any additional mitigation measures necessary to achieve compliance with the above listed noise limit, and a schedule, subject to CPM approval, for implementing these measures. When these measures are in place, the project owner shall repeat the noise survey.

Within 15 days of completion of the new survey, the project owner shall submit to the CPM a summary report of the new noise survey, performed as described above and showing compliance with this condition.

XI. CONCLUSION

Applicant looks forward to participating in the evidentiary hearing and is confident these proceedings will provide the final path necessary to lead to a favorable decision by the California Energy Commission for the Pio Pico Energy Center.

Date: July 6, 2012

Stoel Rives LLP

A handwritten signature in blue ink, appearing to read "Melissa A. Foster".

Melissa A. Foster
Attorney for Applicant
PIO PICO ENERGY CENTER LLC

ATTACHMENT A

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

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Docket No. 11-AFC-01

APPLICANT'S REVISED EXHIBIT LIST (July 6, 2012)

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
1	59646	Application for Certification (AFC) Volumes 1 and 2 and related cover letter; dated February 2011, and docketed on February 9, 2011			
2	59684	Application for Designation of Confidential Record re Emission Reduction Credits, dated February 9, 2011, docketed February 9, 2011			
3	59685	Application for Designation of Confidential Paleontological Resources Record dated February 7, 2011, and docketed on February 9, 2011			
4	59687	Application for Designation of Confidential Cultural Resources Record dated February 7, 2011, and docketed on February 9, 2011			
5	59674	Applicant's Amendment to Application for Permits, San Diego Air Pollution Control District, dated February 11, 2011, and docketed February 11, 2011.			
6	59939	Supplemental Air Quality Modeling Data and Risk Assessment Submitted to the San Diego Air Pollution Control District, dated March 8, 2011, docketed March 8, 2011			
7	60177	Applicant's Data Adequacy Supplement and Related Cover Letter, dated April 1, 2011, docketed April 1, 2011			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
8	60231	Application for Designation of Confidential Cultural Resources Records, dated April 1, 2011, docketed April 1, 2011			
9	60200	Revised Air Quality Modeling Files dated April 4, 2011, docketed April 4, 2011			
10	60249	Applicant's Prevention of Significant Deterioration Permit Application and Related Air Quality Modeling Files, dated April 1, 2011, docketed April 12, 2011			
11	60622	Applicant's Response to Staff's Issues Identification Report, dated May 13, 2011, docketed May 13, 2011			
12	60802	Letter to M. Jones Re Application for Designation of Confidential Record dated May 25, 2011 and received May 25, 2011			
13	60809	Letter to E. Solorio Re CAISO Cluster 2 Phase I Interconnection Study dated May 25, 2011, docketed May 25, 2011			
14	61017	Applicant's AFC Refinement dated June 2011, docketed June 18, 2011			
15	61042	Submittal of Supp. Conf. Cultural and Paleontological Resources Material, dated June 8, 2011, docketed June 8, 2011			
16	61121	Applicant's Request for Extension to Submit Data Responses, Set One (#1-59); Objections, dated June 14, 2011, docketed June 14, 2011			
17	61310	Withdrawal of Application for Confidential Designation of Documents, dated July 6, 2011, docketed July 6, 2011			
18	61361	Application for Designation of Confidential Record re Transmission Data, dated July 11, 2011, received July 11, 2011			
19	61348	California Independent System Operator's Cluster 2 Phase I Interconnection Study Report, Group Report for SDG&E dated July 11, 2011, docketed July 11, 2011			
20	61385	Submittal of Supplemental Confidential Cultural Resources Materials dated July 15, 2011, docketed July 15, 2011			
21	61384	Applicant's Responses to Staff's Data Requests, Set 1 (#1-59) with Air Quality Modeling Files dated July 15, 2011, 2011, docketed July 15, 2011			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
22	61459	Applicant's Response to Staff's Data Requests BIO-29 and BIO-30 dated July 20, 2011, docketed July 20, 2011			
23	61667	Applicant's Supplemental Responses to Staff's Data Requests, Set 1 (#29 and #30) dated August 1, 2011 and docketed August 1, 2011			
24	61788	Letter re Worker Safety and Fire Protection Supplemental Information dated August 8, 2011, docketed August 8, 2011			
25	61833	Supplemental Responses to Data Requests BIO-29 and BIO-30, dated August 11, 2011, docketed August 11, 2011			
26	61832	Letter re Soil & Water-Supplemental Information Related to Offsite Stormwater Drainage, dated August 11, 2011, docketed August 11, 2011			
27	61899	Letter re Supplemental Responses to Data Requests Related to Traffic and Transportation, dated August 16, 2011, docketed August 16, 2011			
28	61927	Letter re Responses to Data Requests, Set 2 (#60-71) [Air Quality], dated August 17, 2011, docketed August 17, 2011			
29	61971	Letter re Correspondence with to San Diego Air Pollution Control District re Air Quality dated August 22, 2011, docketed August 22, 2011			
30	62007	Applicant's Supplemental Responses to Data Requests Relating to Biological Resources dated August 25, 2011 docketed August 25, 2011			
31	62027	Letter re Applicant's Emission Reduction Credits dated August 29, 2011, docketed August 29, 2011			
32	62048	Additional documents Submitted under Designation of Confidentiality dated August 30, 2011, docketed August 30, 2011			
33	62037	CAISO Cluster 2 Phase II Interconnection Study Report, Group Report for San Diego Gas & Electric Area dated August 30, 2011, docketed August 30, 2011			
34	62077	Applicant's Repeated Application for Confidential Additional Supplemental Phase II Interconnect Study Report dated September 1, 2011, docketed September 1, 2011			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
35	62067	Letter to Laiping Ng in Response to Request for a Copy of the California Independent System Operator's Cluster 2 Phase II Interconnection Study Report dated September 1, 2011, docketed September 1, 2011			
36	62106	Applicant's Letter re Plume Modeling Data, dated September 7, 2011, docketed September 7, 2011			
37	62192	Applicant's Supplemental Responses to Data Requests Relating to Water Resources, Land Use, Visual Resources and Biological Resources, dated September 13, 2011, docketed September 13, 2011			
38	62266	Applicant's Correspondence to U.S. Fish & Wildlife Service dated September 19, 2011, docketed September 19, 2011			
39	62280	Letter re Acid Rain Permit Application-San Diego Air Pollution Control District, dated September 19, 2011, docketed September 19, 2011			
40	62304	Applicant's Application for a Prevention of Significant Deterioration Permit, September 19, 2011, docketed September 19, 2011			
41	62359	Letter to Gary Chandler, PPEC, re PSD Application, dated August 23, 2011, docketed September 28, 2011			
42	62443	Letter re Water Enhancement and Applicant's Proposed Revised Schedule dated October 3, 2011, docketed October 3, 2011			
43	62531	Letter submitting additional documents submitted under existing designation of confidentiality re CAISO's Cluster 2, Phase II Interconnection Study Report, dated October 6, 2011, docketed October 6, 2011			
44	62510	Letter re explanation of "confidential" filing re letter to R. Oglesby dated 10-6-11 re "additional documents submitted under existing designation of confidentiality" [see #95], dated October 6, 2011, docketed October 6, 2011			
45	62588	Letter re Traffic and Transportation: Responses to K. Ford's October 11, 2011 Inquiry, dated October 14, 2011, docketed October 14, 2011			
46	62620	Letter re Air Quality: Nitrogen Deposition Modeling Methodology, dated October 20, 2011, docketed October 20, 2011			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
47	62639	Letter re Air Quality Modeling Submitted to San Diego Air Pollution Control District, dated October 25, 2011, docketed October 25, 2011			
48	62652	Letter re Application for Certification Refinement-Enhanced Water Treatment System, dated October 27, 2011, docketed October 27, 2011			
49	62693	Letter re Responses to Ann Crisp's September 15, 2011 Inquiry re Biological Resources dated October 31, 2011, docketed October 31, 2011			
50	62692	Letter re Responses to Ann Crisp's October 4, 2011 Inquiry re Biological Resources dated October 31, 2011, docketed October 31, 2011			
51	62699	Letter re Responses to Data Requests #72-73 dated October 31, 2011, docketed October 31, 2011			
52	62834	Letter re Response to Informal Data Requests Relating to Air Quality dated November 7, 2011, docketed November 7, 2011			
53	62833	Letter re Response to Informal Data Requests Relating to Biological Resources dated November 7, 2011, docketed November 7, 2011			
54	62839	Letter re additional Air Quality Modeling Submitted to San Diego Air Pollution Control District dated November 8, 2011, docketed November 8, 2011			
55	62838	Letter re Responses to Data Requests #24 dated November 8, 2011, docketed November 8, 2011			
56	62870	Letter re submittal of Otay Water District's Water Supply Assessment dated November 10, 2011, docketed November 10, 2011			
57	62910	Confidential filing-Letter to R. Oglesby re Additional Docs. Submitted Under Existing Designation of Confidential Documents re Supplemental Responses to Data Requests #72 and 73 dated November 16, 2011, docketed November 16, 2011			
58	62900	Letter re Supplemental Responses to Data Requests #72-73 dated November 16, 2011, docketed November 16, 2011			
59	62928	Applicant's Opposition to Rob Simpson's Petition to Intervene dated November 17, 2011, docketed November 17, 2011			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
60	62929	Applicant's Response to Data Requests 72 and 73, dated November 18, 2011, docketed November 18, 2011			
61	62998	Applicant's Additional Responses to Staff's Informal Data Requests Re Biological Resources dated November 28, 2011, docketed November 28, 2011			
62	63008	Biological Assessment for the Pio Pico Energy Center Project dated November 30, 2011, docketed November 30, 2011			
63	63107	Responses to USEPA Inquiries Related to Air Quality Modeling dated December 1, 2011, docketed December 5, 2011			
64	63079	Response to EPA's Questions Re PM BACT for Turbines re PSD Permit Application dated December 8, 2011, docketed December 8, 2011			
65	63192	Letter to Eric Solorio, including Preliminary Determination of Compliance for PPEC from San Diego APCD dated December 20, 2011, docketed December 20, 2011			
66	63274	Letter to E. Solorio re submittal of USEPA's Request for Consultation dated January 4, 2012, docketed January 4, 2012			
67	63396	Letter to E. Solorio re Comments on the San Diego APCD's Preliminary Determination of Compliance (PDOC) dated January 17, 2012, docketed January 17, 2012			
68	63395	Letter to E. Solorio re Additional Information Submitted to USEPA re PSD Application dated January 17, 2012, docketed January 17, 2012			
69	63393	Letter to E. Solorio re San Diego APCD's Notice Extending Comment Period Re PDOC dated January 20, 2012, docketed February 2, 2012			
70	63530	Letter to E. Solorio re Otay Water District's Board Meeting Minutes of October 5, 2011, dated February 2, 2012, docketed February 2, 2012			
71	63528	Letter to E. Solorio re correspondence from USF&WS Service to USEPA re Initiation of Formal Section 7 Consultation dated February 2, 2012, docketed February 2, 2012			
72	63553	Letter to E. Solorio re correspondence from Sierra Research to USEPA re Additional Information re Application for Prevention of Significant Determination Permit dated February 2, 2012, docketed February 3 2012			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
73	63818	Correspondence to USFWS Related to Section 7 Consultation dated February 24, 2012, docketed, February 27, 2012			
74	64025	Re-submittal of Correspondence Sent to U.S. Fish & Wildlife Service dated March 6, 2012, docketed March 6, 2012			
75	64129	Applicant's Correspondence to USEPA, Region 9 dated March 7, 2012, docketed March 12, 2012			
76	64132	Applicant's Response to Proposed Condition of Certification SOIL&WATER-9 dated March 13, 2012, docketed March 13, 2012			
77	64225	Applicant's Supplemental Information re PSD Permit Application, dated March 20, 2012, docketed March 20, 2012			
78	64224	Applicant's Supplemental Information re PSD Permit Application, (Visibility Analysis) dated March 20, 2012, docketed March 20, 2012			
79	64222	Applicant's Supplemental Information re PSD Permit Application, Response to Supplemental Information Request (GHG BACT) dated March 19, 2012, docketed March 20, 2012			
80	65868	Applicant's Comments on Preliminary Staff Assessment dated March 26, 2012, docketed March 26, 2012			
81	64645	Applicant's Additional Traffic Data dated April 9, 2012, docketed April 9, 2012			
82	64640	Applicant's submittal of Alternatives: Visual Renderings dated April 9, 2012, docketed April 9, 2012			
83	64634	Repeated Application for Confidential Designation, CAISO Phase II Interconnect Study Report, Additional Information dated April 9, 2012, docketed April 9, 2012			
84	64750	Applicant's Proposed SOIL&WATER-9- Water Conservation Plan dated April 13, 2012, docketed April 13, 2012			
85	64830	Additional Data in Support of PSD Permit Application dated April 18, 2012, docketed April 18, 2012			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
86	65110	San Diego Air Pollution Control District's Final Determination of Compliance dated May 7, 2012, docketed May 7, 2012			
87	65187	Correspondence to USFWS Related to Section 7 Consultation dated May 9, 2012, docketed May 9, 2012			
88	65203	Applicant's Additional Communication to USF&WS re Section 7 Consultation dated May 14, 2012, docketed May 14, 2012			
89	65302	Applicant's Additional Information to EPA re PSD Permit Application dated May 16, 2012, docketed May 17, 2012			
90	65448	Applicant's Additional Information to EPA re PSD Permit Application dated May 23, 2012, docketed, May 29, 2012			
91	65632	Applicant's Additional Information to EPA re PSD Permit Application dated June 5, 2012, docketed June 6, 2012			
92	65909	Applicant's Additional Information to EPA re PSD Permit Applicant (Nearby Sources) dated July 6, 2011, docketed June 22, 2012			
93	65907	Applicant's Response to EPA's Questions re PM BACT for Cooling System re PSD Permit Applicant dated November 8, 2011, docketed June 22, 2012			
94	65905	2011 Quino Checkerspot Butterfly Site Assessment Report Provided to the USF&WS dated June 2011, docketed June 22, 2012.			
95	65904	Applicant's Letter to E. Solorio submitting EPA, Region 9, Letter of Completeness, dated June 14, 2012, docketed June 22, 2012			
96	65918	Submittal of U.S. Environmental Protection Agency, Region 9 Proposed Prevention of Significant Deterioration Permit, EPA's public notices (in English and Spanish), Permit Fact Sheet, Ambient Air Quality Report, and Errata Correction to the Proposed PSD Permit dated June 2012, docketed June 22, 2012			
97	65911	CAISO Re-Study Phase II Interconnection Report, Group Report for San Diego Gas & Electric Area dated June 4, 2012, docketed June 22, 2012			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
98	65954	Applicant's Repeated Application for Confidential Additional Supplemental Phase II Re-Study Report dated June 4, 2011, docketed September 1, 2011			
99	65954	Declaration of Gary Rubenstein re Air Quality and Public Health, and supporting information for Biology, Alternatives, and Visual Resources, dated June 20, 2012, docketed June 26, 2012			
100	65954	Declaration of Steve Hill re Air Quality and Public Health, and supporting information for Biology, Alternatives, and Visual Resources, dated June 20, 2012, docketed June 26, 2012			
101	65954	Declaration of David Jenkins dated June 25, 2012, docketed June 26, 2012			
102	65954	Declaration of Lincoln Hulse re Biological Resources dated June 20, 2012, docketed June 26, 2012			
103	65954	Declaration of Rachael Nixon re Cultural Resources dated June 20, 2012, docketed June 26, 2012			
104	65954	Declaration of Craig Kebodeaux re Efficiency, Facility Design, Reliability, Transmission System Design, and Transmission Line Safety & Nuisance dated June 21, 2012, docketed June 26, 2012			
105	65954	Declaration of Ray Rice re Geological Resources and Soils dated June 22, 2012, docketed June 26, 2012			
106	65954	Declaration of Tricia Winterbauer re Hazardous Materials, Waste Management, and Worker Health and Safety dated June 20, 2012, docketed June 26, 2012			
107	65954	Declaration of Virginia Viado re Land Use dated June 22, 2012, docketed June 26, 2012			
108	65954	Declaration of Ron Reeves re Noise dated June 22, 2012, docketed June 26, 2012			
109	65954	Declaration of Joe Stewart re Paleontological dated June 20, 2012, docketed June 26, 2012			
110	65954	Declaration of Jennifer Wu re Socioeconomics dated June 19, 2012, docketed June 26, 2012			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
111	65954	Declaration of Noel Casil re Traffic & Transportation dated June 19, 2012, docketed June 26, 2012			
112	65954	Declaration of Angela Leiba re Visual Resources dated June 20, 2012, docketed June 26, 2012			
113	65954	Declaration of Anne Connell re Water Resources dated June 21, 2012, docketed June 26, 2012			
114	65954	Applicant's Opening Testimony, Supporting Testimonials, Declarations, and Exhibits 1-113, dated June 26, 2012, docketed June 26, 2012			
115	65967	Applicant's Letter Submitting USACOE's Preliminary Jurisdictional Determination dated June 25, 2012, docketed June 27, 2012			
116	65973	Applicant's Letter Submitting USACOE's Determination Re Section 404 Permit (not required) dated June 26, 2012, docketed June 27, 2012			
117	65966	Applicant's Letter to Hearing Officer re Service of Applicant's Exhibits on disc to Rob Simpson, dated June 25, 2012, docketed June 27, 2012			
118	66007	Applicant's Correspondence to Hearing Officer Raoul Renaud re Objection and Opposition to Corrections Corporation of America's Request for Extension, dated June 27, 2012, docketed June 27, 2012			
119	TBD*	Applicant's Opposition to Corrections Corporation of America, dated July 5, 2012, docketed July 5, 2012			
120	TBD	Applicant's Opposition to Bill Powers' Petition to Intervene, dated July 5, 2012, docketed July 5, 2012			
121	TBD	Declaration of Michael Theriault re Noise and Vibration dated July 6, 2012, docketed July 6, 2012			
122	TBD	Declaration of Brian Mooney re Land Use as it Relates to Noise, dated July 5, 2012, docketed July 6, 2012			
123	TBD	County of San Diego, East Otay Mesa Business Park Specific Plan, dated September 15, 2012, (submitted with Applicant's Rebuttal Testimony on July 6, 2012)			

Exhibit	Docket #	Brief Description	Offered	Admitted	Refused
124	TBD	San Diego Correctional Facility Alternative Site Plan Concept, Noise Analysis Report, dated August 25, 2010 (submitted with Applicant's Rebuttal Testimony on July 6, 2012)			
125	TBD	San Diego County Planning Commission, Agenda Regular Meeting (Attachment F), dated November 19, 2010 (submitted with Applicant's Rebuttal Testimony on July 6, 2012)			
126	TBD	Governor's Office of Planning and Research, "The Planner's Guide to Specific Plans", dated January 2001, (submitted with Applicant's Rebuttal Testimony on July 6, 2012)			
127	TBD	Declaration of David Jenkins dated July 5, 2012, docketed July 6, 2012			
128	TBD	Applicant's Prehearing Conference Statement, dated July 6, 2012, docketed July 6, 2012			
129	TBD	Applicant's Rebuttal Testimony, dated July 6, 2012, docketed July 6, 2012			

*TBD = Items docketed after July 1, 2012 are not yet appearing on the docket log. Applicant will revise this column and transmit a revised, final Exhibit List to the parties prior to the Evidentiary Hearing on July 23, 2012.

ATTACHMENT B

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

The Application for Certification for the
PIO PICO ENERGY CENTER PROJECT

Docket No. 11-AFC-01

APPLICANT'S CATEGORIZED EXHIBIT LIST (July 6, 2012)

Exhibit	Docket #	Brief Description	Technical Topic
1	59646	Application for Certification (AFC) Volumes 1 and 2 and related cover letter; dated February 2011, and docketed on February 9, 2011	All Topics
2	59684	Application for Designation of Confidential Record re Emission Reduction Credits, dated February 7, 2011, docketed February 9, 2011	General; Air Quality
3	59685	Application for Designation of Confidential Paleontological Resources Record dated February 7, 2011, and docketed on February 9, 2011	General; Paleontological Resources
4	59687	Application for Designation of Confidential Cultural Resources Record dated February 7, 2011, and docketed on February 9, 2011	General; Cultural Resources
5	59674	Applicant's Amendment to Application for Permits, San Diego Air Pollution Control District, dated February 11, 2011, and docketed February 11, 2011.	Air Quality
6	59939	Supplemental Air Quality Modeling Data and Risk Assessment Submitted to the San Diego Air Pollution Control District, dated March 8, 2011, docketed March 8, 2011	Air Quality
7	60177	Applicant's Data Adequacy Supplement and Related Cover Letter, dated April 1, 2011, docketed April 1, 2011	Air Quality; Biological Resources; Cultural Resources; Land Use; Paleontological Resources; Project Overview; Soils & Water;

Exhibit	Docket #	Brief Description	Technical Topic
			Transmission System Engineering
8	60231	Application for Designation of Confidential Cultural Resources Records, dated April 1, 2011, docketed April 1, 2011	General; Cultural Resources
9	60200	Revised Air Quality Modeling Files dated April 4, 2011, docketed April 4, 2011	Air Quality
10	60249	Applicant's Prevention of Significant Deterioration Permit Application and Related Air Quality Modeling Files, dated April 11, 2011, docketed April 12, 2011	Air Quality
11	60622	Applicant's Response to Staff's Issues Identification Report, dated May 13, 2011, docketed May 13, 2011	Transmission System Engineering; Soils & Water
12	60802	Letter to M. Jones Re Application for Designation of Confidential Record dated May 25, 2011 and received May 25, 2011	General; Transmission System Engineering
13	60809	Letter to E. Solorio Re CAISO Cluster 2 Phase I Interconnection Study dated May 25, 2011, docketed May 25, 2011	Transmission
14	61017	Applicant's AFC Refinement dated June 2011, docketed June 18, 2011	All Topics
15	61042	Submittal of Supp. Conf. Cultural and Paleontological Resources Material, dated June 8, 2011, docketed June 8, 2011	General; Cultural and Paleontological Resources
16	61121	Applicant's Request for Extension to Submit Data Responses, Set One (#1-59); Objections, dated June 14, 2011, docketed June 14, 2011	General
17	61310	Withdrawal of Application for Confidential Designation of Documents, dated July 6, 2011, docketed July 6, 2011	General
18	61361	Application for Designation of Confidential Record re Transmission Data, dated July 11, 2011, received July 11, 2011	General; Transmission System Engineering
19	61348	California Independent System Operator's Cluster 2 Phase I Interconnection Study Report, Group Report for SDG&E dated July 11, 2011, docketed July 11, 2011	Transmission System Engineering
20	61385	Submittal of Supplemental Confidential Cultural Resources Materials dated July 15, 2011, docketed July 15, 2011	General; Cultural Resources
21	61384	Applicant's Responses to Staff's Data Requests, Set 1 (#1-59) with Air Quality Modeling Files dated July 15, 2011, 2011, docketed July 15, 2011	Air Quality; Biological Resources; Cultural Resources; Socioeconomics; Soils & Water; Traffic & Transportation; Visual

Exhibit	Docket #	Brief Description	Technical Topic
			Resources; Worker Safety
22	61459	Applicant's Response to Staff's Data Requests BIO-29 and BIO-30 dated July 20, 2011, docketed July 20, 2011	Biological Resources
23	61667	Applicant's Supplemental Responses to Staff's Data Requests, Set 1 (#29 and #30) dated August 1, 2011 and docketed August 1, 2011	Biological Resources
24	61788	Letter re Worker Safety and Fire Protection Supplemental Information dated August 8, 2011, docketed August 8, 2011	Worker Safety
25	61833	Supplemental Responses to Data Requests BIO-29 and BIO-30, dated August 11, 2011, docketed August 11, 2011	Biological Resources
26	61832	Letter re Soil & Water-Supplemental Information Related to Offsite Stormwater Drainage, dated August 11, 2011, docketed August 11, 2011	Water Resources
27	61899	Letter re Supplemental Responses to Data Requests Related to Traffic and Transportation, dated August 16, 2011, docketed August 16, 2011	Traffic & Transportation
28	61927	Letter re Responses to Data Requests, Set 2 (#60-71) [Air Quality], dated August 17, 2011, docketed August 17, 2011	Air Quality
29	61971	Letter re Correspondence with to San Diego Air Pollution Control District re Air Quality dated August 22, 2011, docketed August 22, 2011	Air Quality
30	62007	Applicant's Supplemental Responses to Data Requests Relating to Biological Resources dated August 25, 2011 docketed August 25, 2011	Biological Resources
31	62027	Letter re Applicant's Emission Reduction Credits dated August 29, 2011, docketed August 29, 2011	Air Quality
32	62048	Additional documents Submitted under Designation of Confidentiality dated August 30, 2011, docketed August 30, 2011	Transmission System Engineering
33	62037	CAISO Cluster 2 Phase II Interconnection Study Report, Group Report for San Diego Gas & Electric Area dated August 30, 2011, docketed August 30, 2011	Transmission System Engineering
34	62077	Applicant's Repeated Application for Confidential Additional Supplemental Phase II Interconnect Study Report dated September 1, 2011, docketed September 1, 2011	Transmission System Engineering
35	62067	Letter to Laiping Ng in Response to Request for a Copy of the California Independent System Operator's Cluster 2 Phase II Interconnection Study Report dated September 1, 2011, docketed September 1, 2011	Transmission System Engineering

Exhibit	Docket #	Brief Description	Technical Topic
36	62106	Applicant's Letter re Plume Modeling Data, dated September 7, 2011, docketed September 7, 2011	Air Quality; Visual Resources
37	62192	Applicant's Supplemental Responses to Data Requests Relating to Water Resources, Land Use, Visual Resources and Biological Resources, dated September 13, 2011, docketed September 13, 2011	Water Resources; Land Use; Visual Resources; Biological Resources
38	62266	Applicant's Correspondence to U.S. Fish & Wildlife Service dated September 19, 2011, docketed September 19, 2011	Air Quality; Biological Resources
39	62280	Letter re Acid Rain Permit Application-San Diego Air Pollution Control District, dated September 19, 2011, docketed September 19, 2011	Air Quality
40	62304	Applicant's Application for a Prevention of Significant Deterioration Permit, September 19, 2011, docketed September 19, 2011	Air Quality
41	62359	Letter to Gary Chandler, PPEC, re PSD Application, dated August 23, 2011, docketed September 28, 2011	Air Quality
42	62443	Letter re Water Enhancement and Applicant's Proposed Revised Schedule dated October 3, 2011, docketed October 3, 2011	General
43	62531	Letter submitting additional documents submitted under existing designation of confidentiality re CAISO's Cluster 2, Phase II Interconnection Study, dated October 6, 2011, docketed October 6, 2011	General; Transmission System Engineering
44	62510	Letter re explanation of "confidential" filing re letter to R. Oglesby dated 10-6-11 re "additional documents submitted under existing designation of confidentiality" [see #95], dated October 6, 2011, docketed October 6, 2011	General; Transmission System Engineering
45	62588	Letter re Traffic and Transportation: Responses to K. Ford's October 11, 2011 Inquiry, dated October 14, 2011, docketed October 14, 2011	Traffic & Transportation
46	62620	Letter re Air Quality: Nitrogen Deposition Modeling Methodology, dated October 20, 2011, docketed October 20, 2011	Air Quality Biological Resources
47	62639	Letter re Air Quality Modeling Submitted to San Diego Air Pollution Control District, dated October 25, 2011, docketed October 25, 2011	Air Quality
48	62652	Letter re Application for Certification Refinement-Enhanced Water Treatment System, dated October 27, 2011, docketed October 27, 2011	All Topics
49	62693	Letter re Responses to Ann Crisp's September 15, 2011 Inquiry re Biological Resources dated October 31, 2011, docketed October 31, 2011	Biological Resources

Exhibit	Docket #	Brief Description	Technical Topic
50	62692	Letter re Responses to Ann Crisp's October 4, 2011 Inquiry re Biological Resources dated October 31, 2011, docketed October 31, 2011	Biological Resources
51	62699	Letter re Responses to Data Requests #72-73 dated October 31, 2011, docketed October 31, 2011	Transmission
52	62834	Letter re Response to Informal Data Requests Relating to Air Quality dated November 7, 2011, docketed November 7, 2011	Air Quality
53	62833	Letter re Response to Informal Data Requests Relating to Biological Resources dated November 7, 2011, docketed November 7, 2011	Biological Resources
54	62839	Letter re additional Air Quality Modeling Submitted to San Diego Air Pollution Control District dated November 8, 2011, docketed November 8, 2011	Air Quality
55	62838	Letter re Responses to Data Requests #24 dated November 8, 2011, docketed November 8, 2011	Biological Resources
56	62870	Letter re submittal of Otay Water District's Water Supply Assessment dated November 10, 2011, docketed November 10, 2011	Water Resources
57	62910	Confidential filing-Letter to R. Oglesby re Additional Docs. Submitted Under Existing Designation of Confidential Documents re Supplemental Responses to Data Requests #72 and 73 dated November 16, 2011, docketed November 16, 2011	General; Cultural Resources
58	62900	Letter re Supplemental Responses to Data Requests #72-73 dated November 16, 2011, docketed November 16, 2011	Land Use
59	62928	Applicant's Opposition to Rob Simpson's Petition to Intervene dated November 17, 2011, docketed November 17, 2011	General
60	62929	Applicant's Response to Data Requests 72 and 73, dated November 18, 2011, docketed November 18, 2011	Biological Resources
61	62998	Applicant's Additional Responses to Staff's Informal Data Requests Re Biological Resources dated November 28, 2011, docketed November 28, 2011	Biological Resources
62	63008	Biological Assessment for the Pio Pico Energy Center Project dated November 30, 2011, docketed November 30, 2011	Biological Resources
63	63107	Responses to USEPA Inquiries Related to Air Quality Modeling dated December 5, 2011, docketed December 5, 2011	Air Quality

Exhibit	Docket #	Brief Description	Technical Topic
64	63079	Response to EPA's Questions Re PM BACT for Turbines re PSD Permit Application dated December 8, 2011, docketed December 8, 2011	Air Quality
65	63192	Letter to Eric Solorio, including Preliminary Determination of Compliance for PPEC from San Diego APCD dated December 20, 2011, docketed December 20, 2011	Air Quality
66	63274	Letter to E. Solorio re submittal of USEPA's Request for Consultation dated January 4, 2012, docketed January 4, 2012	Biological Resources
67	63396	Letter to E. Solorio re Comments on the San Diego APCD's Preliminary Determination of Compliance (PDOC) dated January 17, 2012, docketed January 17, 2012	Air Quality
68	63395	Letter to E. Solorio re Additional Information Submitted to USEPA re PSD Application dated January 17, 2012, docketed January 17, 2012	Air Quality
69	63393	Letter to E. Solorio re San Diego APCD's Notice Extending Comment Period Re PDOC dated January 20, 2012, docketed February 9, 2012	Air Quality
70	63530	Letter to E. Solorio re Otay Water District's Board Meeting Minutes of October 5, 2011, dated February 2, 2012, docketed February 2, 2012	Water Resources
71	63528	Letter to E. Solorio re correspondence from USF&WS Service to USEPA re Initiation of Formal Section 7 Consultation dated February 2, 2012, docketed February 2, 2012	Air Quality; Biological Resources
72	63553	Letter to E. Solorio re correspondence from Sierra Research to USEPA re Additional Information re Application for Prevention of Significant Determination Permit dated February 2, 2012, docketed February 3 2012	Air Quality
73	63818	Correspondence to USFWS Related to Section 7 Consultation dated February 24, 2012, docketed, February 27, 2012	Air Quality; Biological Resources
74	64025	Re-submittal of Correspondence Sent to U.S. Fish & Wildlife Service dated March 6, 2012, docketed March 6, 2012	Air Quality; Biological Resources
75	64129	Applicant's Correspondence to USEPA, Region 9 dated March 7, 2012, docketed March 12, 2012	Air Quality
76	64132	Applicant's Response to Proposed Condition of Certification SOIL&WATER-9 dated March 13, 2012, docketed March 13, 2012	Water Resources
77	64225	Applicant's Supplemental Information re PSD Permit Application, dated March 20, 2012, docketed March 20, 2012	Air Quality

Exhibit	Docket #	Brief Description	Technical Topic
78	64224	Applicant's Supplemental Information re PSD Permit Application, (Visibility Analysis) dated March 20, 2012, docketed March 20, 2012	Air Quality
79	64222	Applicant's Supplemental Information re PSD Permit Application, Response to Supplemental Information Request (GHG BACT) dated March 19, 2012, docketed March 20, 2012	Air Quality
80	65868	Applicant's Comments on Preliminary Staff Assessment dated March 26, 2012, docketed March 26, 2012	General; Air Quality; Biological Resources; Land Use; Soils & Water; Transmission System Engineering
81	64645	Applicant's Additional Traffic Data dated April 9, 2012, docketed April 9, 2012	Traffic & Transportation
82	64640	Applicant's submittal of Alternatives: Visual Renderings dated April 9, 2012, docketed April 9, 2012	Alternatives; Visual Resources
83	64634	Repeated Application for Confidential Designation, CAISO Phase II Interconnect Study Report, Additional Information dated April 9, 2012, docketed April 9, 2012	General; Transmission System Engineering
84	64750	Applicant's Proposed SOIL&WATER-9- Water Conservation Plan dated April 13, 2012, docketed April 13, 2012	Water Resources
85	64830	Additional Data in Support of PSD Permit Application dated April 18, 2012, docketed April 18, 2012	Air Quality
86	65110	San Diego Air Pollution Control District's Final Determination of Compliance dated May 7, 2012, docketed May 7, 2012	Air Quality
87	65187	Correspondence to USFWS Related to Section 7 Consultation dated May 9, 2012, docketed May 9, 2012	Air Quality; Biological Resources
88	65203	Applicant's Additional Communication to USF&WS re Section 7 Consultation dated May 14, 2012, docketed May 14, 2012	Air Quality; Biological Resources
89	65302	Applicant's Additional Information to EPA re PSD Permit Application dated May 16, 2012, docketed May 17, 2012	Air Quality
90	65448	Applicant's Additional Information to EPA re PSD Permit Application dated May 23, 2012, docketed, May 29, 2012	Air Quality
91	65632	Applicant's Additional Information to EPA re PSD Permit Application dated June 5, 2012, docketed June 6, 2012	Air Quality

Exhibit	Docket #	Brief Description	Technical Topic
92	65909	Applicant's Additional Information to EPA re PSD Permit Applicant (Nearby Sources) dated June 22, 2011, docketed June 22, 2012	Air Quality
93	65907	Applicant's Response to EPA's Questions re PM BACT for Cooling System re PSD Permit Applicant dated November 8, 2011, docketed June 22, 2012	Air Quality
94	65905	2011 Quino Checkerspot Butterfly Site Assessment Report Provided to the USF&WS dated June 2011, docketed June 22, 2012.	Biological Resources
95	65904	Applicant's Letter to E. Solorio submitting EPA, Region 9, Letter of Completeness, dated June 14, 2012, docketed June 22, 2012	Air Quality
96	65918	Submittal of U.S. Environmental Protection Agency, Region 9 Proposed Prevention of Significant Deterioration Permit, EPA's public notices (in English and Spanish), Permit Fact Sheet, Ambient Air Quality Report, and Errata Correction to the Proposed PSD Permit dated June 2012, docketed June 22, 2012	Air Quality
97	65911	CAISO Re-Study Phase II Interconnection Report, Group Report for San Diego Gas & Electric Area dated June 4, 2012, docketed June 22, 2012	Transmission
98	65954	Applicant's Repeated Application for Confidential Additional Supplemental Phase II Re-Study Report dated June 4, 2011, docketed September 1, 2011	General; Transmission System Engineering
99	65954	Declaration of Gary Rubenstein re Air Quality and Public Health, and supporting information for Biology, Alternatives, and Visual Resources, dated June 20, 2012, docketed June 26, 2012	Air Quality; Public Health; Biological Resources; Alternatives; Visual Resources
100	65954	Declaration of Steve Hill re Air Quality and Public Health, and supporting information for Biology, Alternatives, and Visual Resources, dated June 20, 2012, docketed June 26, 2012	Air Quality; Public Health; Biological Resources; Alternatives; Visual Resources
101	65954	Declaration of David Jenkins dated June 25, 2012, docketed June 26, 2012	All Topics
102	65954	Declaration of Lincoln Hulse re Biological Resources dated June 20, 2012, docketed June 26, 2012	Biological Resources
103	65954	Declaration of Rachael Nixon re Cultural Resources dated June 20, 2012, docketed June 26, 2012	Cultural Resources
104	65954	Declaration of Craig Kebodeaux re Efficiency, Facility Design,	Efficiency; Facility Design;

Exhibit	Docket #	Brief Description	Technical Topic
		Reliability, Transmission System Design, and Transmission Line Safety & Nuisance dated June 21, 2012, docketed June 26, 2012	Reliability; Transmission System Design; Transmission Line Safety & Nuisance
105	65954	Declaration of Ray Rice re Geological Resources and Soils dated June 22, 2012, docketed June 26, 2012	Geological Resources; Soils
106	65954	Declaration of Tricia Winterbauer re Hazardous Materials, Waste Management, and Worker Health and Safety dated June 20, 2012, docketed June 26, 2012	Hazardous Materials; Waste Management; Worker Safety
107	65954	Declaration of Virginia Viado re Land Use dated June 22, 2012, docketed June 26, 2012	Land Use
108	65954	Declaration of Ron Reeves re Noise dated June 22, 2012, docketed June 26, 2012	Noise
109	65954	Declaration of Joe Stewart re Paleontological Resources dated June 20, 2012, docketed June 26, 2012	Paleontological Resources
110	65954	Declaration of Jennifer Wu re Socioeconomics dated June 19, 2012, docketed June 26, 2012	Socioeconomics
111	65954	Declaration of Noel Casil re Traffic & Transportation dated June 19, 2012, docketed June 26, 2012	Traffic & Transportation
112	65954	Declaration of Angela Leiba re Visual Resources dated June 20, 2012, docketed June 26, 2012	Visual Resources
113	65954	Declaration of Anne Connell re Water Resources dated June 21, 2012, docketed June 26, 2012	Water Resources
114	65954	Applicant's Opening Testimony, Supporting Testimonials, Declarations, and Exhibits 1-113, dated June 26, 2012, docketed June 26, 2012	General
115	65967	Applicant's Letter Submitting USACOE's Preliminary Jurisdictional Determination dated June 25, 2012, docketed June 27, 2012	General Biological Resources
116	65973	Applicant's Letter Submitting USACOE's Determination Re Section 404 Permit (not required) dated June 26, 2012, docketed June 27, 2012	General Biological Resources
117	65966	Applicant's Letter to Hearing Officer re Service of Applicant's Exhibits on disc to Rob Simpson, dated June 25, 2012, docketed June 27, 2012	General
118	66007	Applicant's Correspondence to Hearing Officer Raoul Renaud re Objection and Opposition to Corrections Corporation of America's	General

Exhibit	Docket #	Brief Description	Technical Topic
		Request for Extension, dated June 27, 2012, docketed June 27, 2012	
119	TBD*	Applicant's Opposition to Corrections Corporation of America, dated July 5, 2012, docketed July 5, 2012	General
120	TBD	Applicant's Opposition to Bill Powers' Petition to Intervene, dated July 5, 2012, docketed July 5, 2012	General
121	TBD	Declaration of Michael Theriault re Noise and Vibration dated July 6, 2012, docketed July 6, 2012	Noise
122	TBD	Declaration of Brian Mooney re Land Use as it Relates to Noise, dated , 2012, docketed July 6, 2012	Land Use Noise
123	TBD	County of San Diego, East Otay Mesa Business Park Specific Plan, dated September 15, 2012, (referenced in Applicant's Rebuttal Testimony on July 6, 2012)	Noise Land Use
124	TBD	San Diego Correctional Facility Alternative Site Plan Concept, Noise Analysis Report, dated August 25, 2010 (referenced in Applicant's Rebuttal Testimony on July 6, 2012)	Noise Land Use
125	TBD	San Diego County Planning Commission, Agenda Regular Meeting (Attachment F), dated November 19, 2010 (referenced in Applicant's Rebuttal Testimony on July 6, 2012)	Noise Land Use
126	TBD	Governor's Office of Planning and Research, "The Planner's Guide to Specific Plans," dated January 2001, (referenced in Applicant's Rebuttal Testimony on July 6, 2012)	Noise Land Use
127	TBD	Declaration of David Jenkins dated July 5, 2012, docketed July 6, 2012	General
128	TBD	Applicant's Prehearing Conference Statement, dated July 6, 2012, docketed July 6, 2012	General Noise
129	TBD	Applicant's Rebuttal Testimony and Related Attachments, dated July 6, 2012, docketed July 6, 2012	General Noise Land Use

*TBD = Items docketed after July 1, 2012 are not yet appearing on the docket log. Applicant will revise this column and transmit a revised, final Exhibit List to the parties prior to the Evidentiary Hearing on July 23, 2012.



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 PROJECT*

Docket No. 11-AFC-01
PROOF OF SERVICE
(Revised 6/25/2012)

PIO PICO ENERGY CENTER, LLC
Applicant's Prehearing Conference Statement dated July 6, 2012

APPLICANT

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ADVISER**

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DECLARATION OF SERVICE

I, Kimberly J. Hellwig, declare that on July 6, 2012:

I deposited copies of the aforementioned document and, if applicable, a disc containing the aforementioned document in the United States mail at 500 Capitol Mall, Suite 1600, Sacramento, California 95814, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list herein and consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210.

OR

I transmitted the document(s) herein via electronic mail only pursuant to California Energy Commission Standing Order re Proceedings and Confidentiality Applications dated November 30, 2011. All electronic copies were sent to all those identified on the Proof of Service list herein and consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210.

OR

On the date written above, I placed an electronic copy of the attached document(s) in a sealed envelope, with delivery fees paid or provided for, and arranged for it/them to be delivered by messenger that same day to the office of the addressee, as identified on the Proof of Service list herein and consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury under the laws of the State of California 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.

//Original Signed
Kimberly J. Hellwig