



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

California Energy Commission

DOCKETED

11-AFC-1

TN # 66259

JUL 17 2012

Docket Number: **11-AFC-01**

Date: **July 23, 2012**

Project Name: **Pio Pico Energy Center**

TENTATIVE EXHIBIT LIST

Applicant's Proposed Exhibits

Exhibit	Docket Transaction Number	Brief Description	Offered	Admitted	Refused
1	59646	Application for Certification (AFC) for Pico Pico Energy Center, Application - Docket # 2011-AFC-01, Environmental Information and Appendices, submitted by Applicant			
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			
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	60177	Applicant's Data Adequacy Supplement and Related Cover Letter, dated April 1, 2011, docketed April 1, 2011			
11	60231	Application for Designation of Confidential Cultural Resources Records, dated April 1, 2011, docketed April 1, 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	Application for Certification Refinement ("AFC Refinement") submitted by Applicant dated June 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			
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			
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			
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			
58	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			
59	62900	Letter re Supplemental Responses to Data Requests #72-73 dated November 16, 2011, docketed November 16, 2011			
60	62928	Applicant's Opposition to Rob Simpson's Petition to Intervene dated November 17, 2011, docketed November 17, 2011			
61	62929	Applicant's Response to Data Requests 72 and 73, dated November 18, 2011, docketed November 18, 2011			
62	62998	Applicant's Additional Responses to Staff's Informal Data Requests Re Biological Resources dated November 28, 2011, docketed November 28, 2011			
63	63008	Biological Assessment for the Pio Pico Energy Center Project dated November 30, 2011, docketed November 30, 2011			
64	63107	Responses to USEPA Inquiries Related to Air Quality Modeling dated December 1, 2011, docketed December 5, 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			
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			
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			
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 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			
103	65954	Declaration of David Jenkins dated June 25, 2012, docketed June 26, 2012			
104	65954	Declaration of Lincoln Hulse re Biological Resources dated June 20, 2012, docketed June 26, 2012			
105	65954	Declaration of Rachael Nixon re Cultural Resources dated June 20, 2012, docketed June 26, 2012			
106	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			
107	65954	Declaration of Ray Rice re Geological Resources and Soils dated June 22, 2012, docketed June 26, 2012			
108	65954	Declaration of Tricia Winterbauer re Hazardous Materials, Waste Management, and Worker Health and Safety dated June 20, 2012, docketed June 26, 2012			
109	65954	Declaration of Virginia Viado re Land Use dated June 22, 2012, docketed June 26, 2012			
110	65954	Declaration of Ron Reeves re Noise dated June 22, 2012, docketed June 26, 2012			
111	65954	Declaration of Joe Stewart re Paleontological dated June 20, 2012, docketed June 26, 2012			
112	65954	Declaration of Jennifer Wu re Socioeconomics dated June 19, 2012, docketed June 26, 2012			
113	65954	Declaration of Noel Casil re Traffic & Transportation dated June 19, 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)			
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.			

Staff's Proposed Exhibits

Exhibit	Docket Transaction Number	Brief Description	Offered	Admitted	Refused
200	65408	Final Staff Assessment			
201	65586	Supplement to the Final Staff Assessment			
202	63192	San Diego Air Pollution Control District's Preliminary Determination of Compliance			
203	65110	San Diego Air Pollution Control District's Final Determination of Compliance			
204	59646	AFC Appendix "I", pp1-2, Otay Water District's Will-Serve Letter			
205	65892	Record of Conversation, James Adams and Dan Wood			
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Rob Simpson's Proposed Exhibits

Exhibit	Docket Transaction Number	Brief Description	Offered	Admitted	Refused
300		Rob Simpson opening testimony and attachments			
301		Robert Sarvey Testimony			
302		Bill Powers Testimony			
303		AES Energy Storage			
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Corrections Corporation of America Proposed Exhibits

Exhibit	Docket Transaction Number	Brief Description	Offered	Admitted	Refused
400		San Diego County General Plan Noise Element			
401		San Diego County Noise Abatement and Control Ordinance			
402		East Otay Mesa Specific Plan			
403		Major Use Permit for the Corrections Corporation of America facility			
404		Noise Report Prepared for the Corrections Corporation of America facility			
405		Corrections Corporation of America's Testimony by Jeff Fuller to Energy Commission			
406		Declaration of Jeff Fuller re Noise			
407		Professional Qualifications and Experience of Jeff Fuller			
408		Final Staff Assessment			
409		Preliminary Staff Assessment			
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**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 7/10/2012)**

APPLICANT

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**ENERGY COMMISSION –
DECISIONMAKERS**

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**ENERGY COMMISSION – PUBLIC
ADVISER**

Jennifer Jennings
Public Adviser
e-mail service preferred
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DECLARATION OF SERVICE

I, Maggie Read, declare that on, July 17, 2012, I served and filed a copy of the attached *TENTATIVE* EXHIBIT LIST, dated July 23, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: www.energy.ca.gov/sitingcases/piopico/index.html.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. 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 "e-mail service preferred."

AND

For filing with the Docket Unit at the Energy Commission:

- by sending one electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 11-AFC-01
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

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 By:

Maggie Read
Hearing Adviser's Office