



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-04**

TN # 69097

JAN. 11 2013

APPLICATION FOR CERTIFICATION  
*FOR THE RIO MESA SOLAR  
ELECTRIC GENERATING FACILITY*

Docket No. 11-AFC-04

**NOTICE OF STATUS CONFERENCE AND HEARING ON MOTION FOR EXTENSION OF  
THE FINAL STAFF ASSESSMENT FILING DEADLINE AND MOTION TO COMPEL  
PRODUCTION OF INCIDENTAL TAKE PERMIT APPLICATION**

**PLEASE TAKE NOTICE** that the Committee designated by the Energy Commission to conduct proceedings on the **RIO MESA SOLAR GENERATING FACILITY** Application for Certification (AFC) has scheduled (1) a Mandatory Status Conference and (2) a hearing on Energy Commission Staff's Request for Extension of the Final Staff Assessment Filing Deadline and Motion to Compel Production of Incidental Take Permit Application (the "Motion") to take place as follows:

**Wednesday, FEBRUARY 6, 2013**  
**Beginning at 1:00 p.m.**

**California Energy Commission**  
**Hearing Room A**  
**1516 Ninth Street**  
**Sacramento, CA 95814**

**Background:**

On October 14, 2011, Rio Mesa Solar I, LLC, Rio Mesa Solar II, LLC, and Rio Mesa Solar III, LLC (collectively, "Applicant") jointly filed an application for certification (AFC) with the California Energy Commission for the Rio Mesa Solar Electric Generating Facility (Rio Mesa SEGF). On December 14, 2011, the Commission deemed the AFC data adequate. The Rio Mesa SEGF originally consisted of three separately-owned and operated plants in Riverside County, California. In June of 2012, the Applicant withdrew the application for Rio Mesa Solar III, LLC, leaving only Rio Mesa Solar I and II as the remaining project. Both plants will use concentrated solar thermal technology to generate 250 MW, for a total combined net output of 500 MW.

On March 19, 2012, the Committee conducted a mandatory status conference and heard from the parties, interested agencies, and public on matters that might affect the timing of the Committee's publication of a presiding member's proposed decision (PMPD) and full Commission consideration of the PMPD. On April 13, 2012, the Committee issued a Committee Scheduling Order ("Scheduling Order") containing deadlines allowing for publication of the PMPD by May 2013.

On December 21, 2012, Energy Commission staff filed a motion (1) seeking relief from the Order so that the Final Staff Assessment (FSA), currently due in January 2013, would instead be due in June 2013 and (2) seeking to compel the Applicant to provide the information necessary to obtain an incidental take permit for certain threatened and/or endangered species that may be affected by the Rio Mesa Solar Energy Generating Facility. On December 26, 2012, Intervenor, Center for Biological Diversity (CBD) submitted a document in support of Energy Commission staff's motion to postpone the publication of the FSA.



***TELECONFERENCE OPTION: Parties and the Public may attend the Status Conference in person at the above location or by telephone and/or by computer via our "WebEx" web conferencing system. For details on how to participate by WebEx, please see the "Instructions for Using WebEx Teleconferencing Using Your Computer and/or Telephone" attached to this notice.***

### **Purpose of Status Conference**

This Status Conference is sponsored by the Energy Commission for the primary purpose of informing the Committee, the parties, and the public about the project's progress to date in the AFC process. The Status Conference is an opportunity to resolve procedural disputes and remove obstacles to the efficient processing of the application.

In addition, the Committee will consider the December 21, 2012 motion filed by Energy Commission Staff and any other pending motions.

An agenda of the Status Conference is attached to this notice. The Scheduling Order as well as notices and transcripts of the proceedings can be found at:  
<http://www.energy.ca.gov/sitingcases/riomesa/index.html>.

### **Closed Sessions**

During any of the committee conferences or hearings, the Committee may, pursuant to Government Code section 11126(c)(3), temporarily adjourn the meeting to a closed session to deliberate on matters before the Committee for decision such as the preparation of a proposed decision, motions and other matters then pending before the Committee.

## **Public Adviser and Public Participation**

Members of the public are welcome to attend and offer comments at the Status Conference. It is not necessary to be an Intervenor to participate in the public process. Comments may also be submitted in writing. Written comments may be submitted for posting on the docket for the proceeding by handing them directly to the Public Adviser, e-mailing them to [dockets@energy.state.ca.us](mailto:dockets@energy.state.ca.us), or by U.S. Mail to:

California Energy Commission  
Docket Unit  
Docket number: 11-AFC-04  
1516 Ninth Street, MS-4  
Sacramento, CA 95614

Please identify "**RIO MESA, Docket No. 11-AFC-04**" on any e-mailed or written comments.

**PLEASE NOTE: your written and oral comments, attachments, and associated contact information (e.g. your address, phone, email, etc.) become part of the viewable public record. Additionally, this information may become available via Google, Yahoo, and other search engines.**

The Energy Commission's Public Adviser's Office is available to assist the public in participating in the application review process. For those individuals who require general information on how to participate, please contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228 or e-mail: [public.adviser@energy.ca.gov](mailto:public.adviser@energy.ca.gov).

### **Information**

Questions of a legal or procedural nature should be directed to Kenneth Celli, the Hearing Adviser, at (916) 651-8893, or e-mail: [ken.celli@energy.ca.gov](mailto:ken.celli@energy.ca.gov).

Technical questions concerning the project should be addressed to Pierre Martinez, the Staff Project Manager, at (916) 651-3765 or e-mail: [pierre.martinez@energy.ca.gov](mailto:pierre.martinez@energy.ca.gov).

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail: [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

Information concerning the status of the project, as well as notices and other relevant documents may be viewed on the Energy Commission's Internet web page at: <http://www.energy.ca.gov/sitingcases/riomesa/index.html>.

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz at 916-654-5146 or e-mail: [lou.quiroz@energy.ca.gov](mailto:lou.quiroz@energy.ca.gov).

Dated: January 10, 2013 at Sacramento, California.

***Original Signed By:***

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KAREN DOUGLAS  
Commissioner and Presiding Member  
Rio Mesa AFC Committee

*Mailed to Lists: POS, 7411, 7412, 7413, 7414*



**INSTRUCTIONS FOR USING WEBEX TELECONFERENCING  
USING YOUR COMPUTER AND/OR TELEPHONE**



EVENT	CONFERENCE OR HEARING DATE	MEETING NUMBER	PASSWORD
STATUS CONFERENCE	<i>Wednesday, February 6, 2013</i>	<b>920 222 166</b>	<b>pwd#1516</b>

**STEP 1:** Go to <https://energy.webex.com>

**STEP 2:** Enter the **Meeting Number: 920 222 166**

**STEP 3:** Enter the **Meeting Password: pwd#1516**

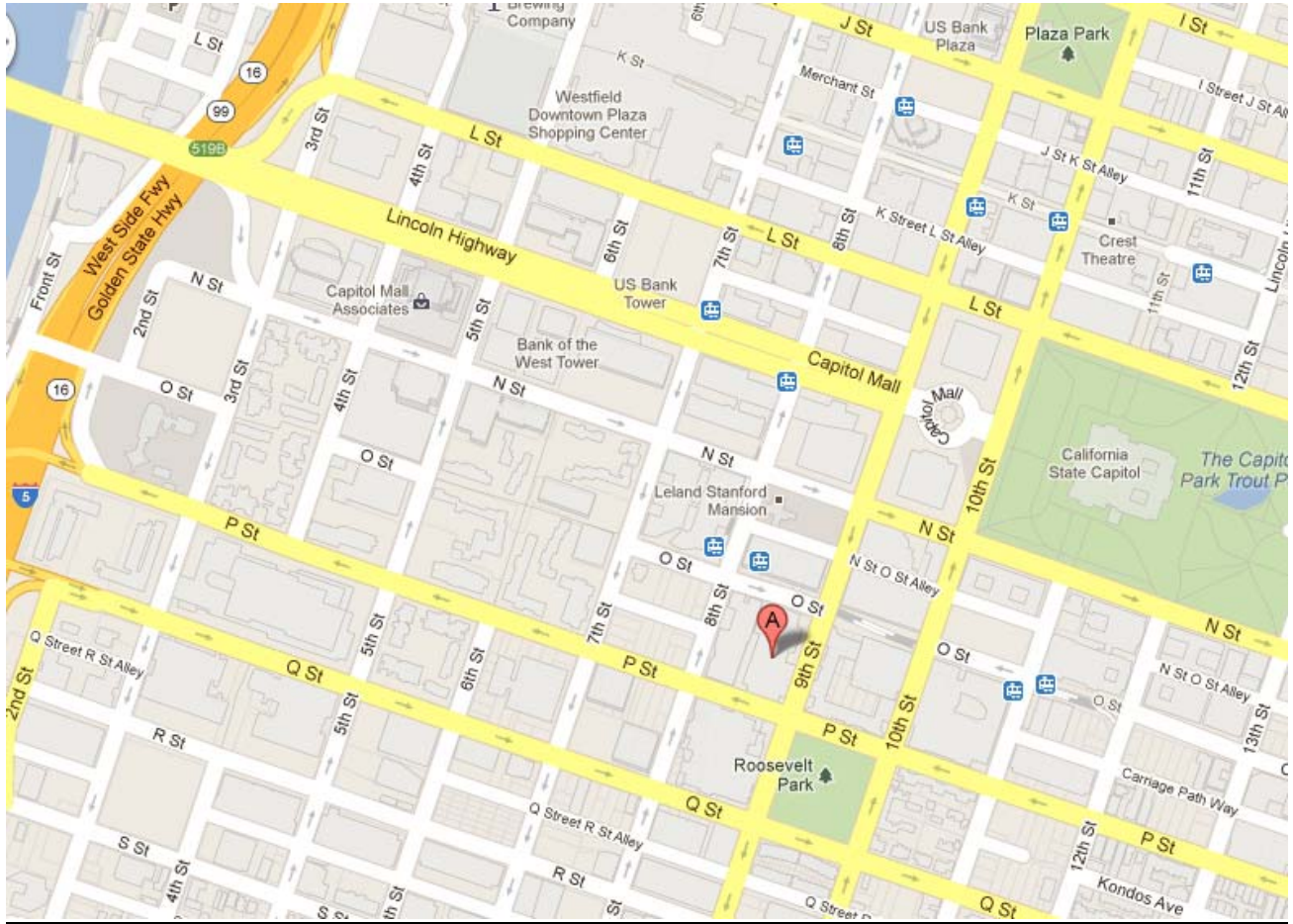
**STEP 4:** After you log-in, a prompt will appear on-screen asking for **your** phone number. In the **Number box**, type your area code and phone number, and then click "OK." **You will receive a call back on your phone that will transmit the audio portion of the meeting.** International callers can use the "Country/Region" button to help make their connection.

**TO LOG-IN USING A TELEPHONE NUMBER WITH AN EXTENSION:** follow Step 1 through Step 3, but after you log-in, when the prompt asks for your phone number, click, "CANCEL." Then call **1-866-469-3239** (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your computer screen after you login.

**TO LOG-IN USING A TELEPHONE ONLY (WITHOUT COMPUTER ACCESS):**

Call 1-866-469-3239 (toll-free in the U.S. and Canada) and, when prompted, enter the **Meeting Number** from the table (above) for the conference/hearing you wish to participate in.

Please be aware that the meeting's WebEx audio and on-screen activity may be recorded. Performance of the WebEx teleconferencing system cannot be guaranteed. The Committee encourages the parties and members of the public to attend in person if possible to avoid the risk of system malfunctions. If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. To see if your computer is compatible, visit <http://support.webex.com/support/system-requirements.html>.



**California Energy Commission  
Hearing Room A  
1516 Ninth Street  
Sacramento, CA 95814  
(Wheelchair Accessible)**

**Rio Mesa Committee Status Conference and Hearing**  
**Wednesday, February 6, 2013**  
**Beginning at 1:00 p.m.**

**California Energy Commission**  
**Hearing Room A**  
**1516 Ninth Street**  
**Sacramento, CA 95814**

**Meeting Agenda**

1. Call to Order
2. Committee Hearing on the Application for Certification of Rio Mesa Solar Generating Facility (11-AFC-04)
  - a. Consider pending motions
  - b. Briefing schedule (if necessary)
  - c. Other matters related to the Application and schedule

3. Public Comment

Members of the public and other interested persons and entities may speak up to three minutes on a matter appearing on this agenda.

4. Closed Session

Committee closed session consideration of the following Item:

Application for Certification of Rio Mesa Solar Generating Facility (11-AFC-04). Deliberation on the Committee's decision regarding pending motions and scheduling. (Contact: Kenneth Celli)

The Committee will adjourn to closed session in accordance with Government Code, section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct. The Committee may adjourn to a closed session at any point during the meeting and may conduct multiple closed sessions as necessary.

5. Adjourn

Agency Contact: Kenneth Celli, Hearing Adviser, (916) 651-8893 or e-mail: ken.cell@energy.ca.gov.



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**APPLICATION FOR CERTIFICATION FOR THE  
RIO MESA SOLAR ELECTRIC  
GENERATING FACILITY**

**DOCKET NO. 11-AFC-04  
PROOF OF SERVICE  
(Revised 1/11/13)**

**SERVICE LIST:**

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**ENERGY COMMISSION –  
PUBLIC ADVISER**

\*Blake Roberts  
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**COMMISSION DOCKET UNIT**

California Energy Commission  
- Docket Unit  
Attn: Docket No. 11-AFC-04  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
docket@energy.ca.gov

**OTHER ENERGY COMMISSION  
PARTICIPANTS (LISTED FOR  
CONVENIENCE ONLY):**

*After docketing, the Docket Unit will  
provide a copy to the persons  
listed below. **Do not** send copies  
of documents to these persons  
unless specifically directed*

KAREN DOUGLAS  
Commissioner and Associate Member

Kenneth Celli  
Hearing Adviser

Galen Lemei  
Adviser to Associate Member

Jennifer Nelson  
Adviser to Associate Member

Eileen Allen  
Commissioners' Technical  
Adviser for Facility Siting

Pierre Martinez  
Project Manager

Lisa DeCarlo  
Staff Counsel

\*indicates change



DECLARATION OF SERVICE

I, Maggie Read, declare that on January 11, 2013, I served and filed copies of the attached NOTICE OF STATUS CONFERENCE AND HEARING ON MOTION FOR EXTENSION OF THE FINAL STAFF ASSESSMENT FILING DEADLINE AND MOTION TO COMPEL PRODUCTION OF INCIDENTAL TAKE PERMIT APPLICATION, dated January 10, 2013. This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: <http://www.energy.ca.gov/sitingcases/riomesa/notices/index.html>.

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

*(Check one)*

**For service to all other parties and filing with the Docket Unit at the Energy Commission:**

- I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; **OR**
- Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: January 11, 2013

***Original Signed By:***

\_\_\_\_\_  
Maggie Read  
Hearing Adviser's Office