

DOCKET

08-AFC-1

DATE MAR 19 2009

RECD. MAR 19 2009

STATE OF CALIFORNIA

Energy Resources Conservation
And Development Commission

In the Matter of:

Application for Certification for
AVENAL ENERGY

Docket No. 08-AFC-1

**ENERGY COMMISSION STAFF'S COMMENTS REGARDING SCHEDULING IN THE
AVENAL ENERGY PROCEEDING**

On March 13, 2009, the Committee overseeing review of Avenal Power Center, LLC's Application for Certification (AFC) for Avenal Energy scheduled a Committee Status Conference for March 23, 2009, to discuss progress on the AFC and comments from the parties. On February 27, 2009, staff submitted its Avenal Energy Status Report 4, in which it indicated its intention to file the Final Staff Assessment (FSA) in early April.

Shortly after the status report was filed, the Committee overseeing the Greenhouse Gas Emissions of Power Plants proceeding (08-GHG OII-1) released its report entitled, "Committee Guidance on Fulfilling California Environmental Quality Act (CEQA) Responsibilities for Greenhouse Gas Impacts in Power Plant Siting Applications." The report discusses the issues involved in analyzing greenhouse gas emissions in power plant siting cases and identifies areas for further investigation. Staff has reviewed this report and plans to do additional work on staff's greenhouse gas analysis of Avenal Energy in accordance with the guidance contained in the report. A key piece that will aid in this analysis is a technical report that will assess greenhouse gas emissions in the context of California's integrated electric system. Staff believes that this report will provide helpful information concerning how new projects such as

Proof of Service (Revised 2/3/09) filed with original.
Mailed from Sacramento on 3-19-09.

Avenal Energy will impact the emissions of greenhouse gases on a system-wide basis. Staff expects to have the report completed by the end of April and would need some time to incorporate the report's findings into the Avenal Energy FSA. Therefore, staff asks that the Committee, if it must set a deadline for the FSA, set it for June 1, 2009. Based on this deadline, staff recommends the hearing schedule proceed as follows:

Date	Event
June 1, 2009	Staff files FSA
June 12, 2009	Applicant and other parties file opening testimony
July 3, 2009	All parties file rebuttal testimony
July 17, 2009	All parties file prehearing conference statements
July 24, 2009	Prehearing Conference
August 7, 2009	Hearings

DATED: March 19, 2008

Respectfully submitted,



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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
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APPLICATION FOR CERTIFICATION
For the AVENAL ENERGY PROJECT

Docket No. 08-AFC-1
PROOF OF SERVICE
(Revised 2/3/2009)

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DECLARATION OF SERVICE

I, Pamela Guinn, declare that on 3/19/09, I served and filed copies of the attached Energy Commission Staff's Opposition to Request for Extension of Suspension and Motion to Terminate Avenal Energy Project Proceeding. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[www.energy.ca.gov/sitingcases/avenal]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

X sent electronically to all email addresses on the Proof of Service list;

X by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (**preferred method**);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-1
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Pamela Guinn