

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

DOCKET
08-AFC-10



DATE	DEC 30 2009
REC'D	JAN 04 2009

**NOTICE OF AVAILABILITY
STAFF ASSESSMENT
FOR LODI ENERGY CENTER PROJECT
APPLICATION FOR CERTIFICATION (08-AFC-10)**

This notice is to inform you of the availability of the California Energy Commission staff's Staff Assessment (SA) for the Lodi Energy Center Project (LEC) Application for Certification (08-AFC-10). The SA was published on November 30, 2009.

Energy Commission staff concludes that with staff's recommended conditions of certification, the LEC would comply with all applicable laws, ordinances, regulations and standards (LORS) and that the project would avoid significant adverse direct, indirect or cumulative impacts. Staff's conclusions are contingent on its recommended conditions of certification being adopted in the Energy Commission's Final Decision. The key issue and recommended requirement is summarized as follows:

- Air Quality - Energy Commission staff's analysis of the project determined that the LEC project would not result in significant air quality related impacts. However, at this time, staff cannot determine whether the LEC project would conform to applicable LORS until staff receives and evaluates the Final Determination of Compliance (FDOC) from the San Joaquin Valley Air Pollution Control District (SJVAPCD). The public review period for the draft FDOC will close at the end of December followed by the issuance of the final FDOC by SJVAPCD in late January 2010. Assuming staff determines the FDOC to be in compliance with applicable LORS relating to the LEC project, staff will then amend the SA via errata which will later be adopted by the Energy Commission during a public hearing.

The SA contains the Energy Commission staff's environmental and engineering evaluation of the LEC and will serve as staff's testimony during evidentiary hearings. The Energy Commission Committee assigned to the LEC proceedings will consider and weigh the testimony, comments, or recommendations of all interested parties, including Energy Commission staff, the applicant, intervenors, public, and other local, state, and federal agencies, before issuing the Presiding Member's Proposed Decision (PMPD) for consideration by the full Energy Commission. The public and local, state and federal agencies are encouraged to participate in the Evidentiary Hearing, which is slated for January 5, 2010. The time and location will be provided in a separate notice by the Energy Commission.

The SA is available for review at the following local libraries:

Lodi Public Library
201 W Locust Street
Lodi, CA 95240

Thornton Branch Library
26341 N. Thornton Road
Thornton, CA 95686

Cesar Chavez Central Library
605 N. El Dorado Street
Stockton, CA 95202

PROOF OF SERVICE (REVISED 2/17/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 1/4/09

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The SA is also available on the Energy Commission's website for the project at **[www.energy.ca.gov/siting cases/lodi/index.html](http://www.energy.ca.gov/siting_cases/lodi/index.html)**. However, if you would like a paper copy or CD of the SA, please fill out the enclosed form and return it to the Energy Commission, or contact April Albright at (916) 653-1640, or e-mail at aesau@energy.state.ca.us.

For information on how to participate in the Energy Commission's review of the project, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489 or toll free in California at (800) 822-6228. Technical or project schedule questions should be directed to Rod Jones, Energy Commission Project Manager, at (916) 654-5191 or email at rjones@energy.state.ca.us. The status of the project, an electronic copy of the Application for Certification, the SA, copies of notices, and other relevant documents are also available on the project's website at the above address.

Sincerely,

30 December 2009
Date

Original signed by Robert Worl for EA
Eileen Allen
Siting and Compliance Office Manager

Please send me a paper copy / CD (circle one) of the California Energy Commission staff's Staff Assessment for the Lodi Energy Center Project Application for Certification (08-AFC-10).

Name:

Address:

City/State/Zip:

FOLD HERE

California Energy Commission
Attention: April Albright
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512

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Staple or Tape closed.



**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 *Lodi Energy Center***

DOCKET No. 08-AFC-10

**PROOF OF SERVICE
(Revised 2/17/09)**

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DECLARATION OF SERVICE

I, April Albright, declare that on January 4, 2010, I served and filed copies of the attached Library Document Letter for the Staff Assessment; Notice of Availability of the Staff Assessment; and Request for Agency Comments on the Staff Assessment, dated December 30, 2009. The original documents, filed with the Docket Unit, are 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/lodi]. The documents have been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

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

- by personal delivery 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-10

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.

Original signed by: _____
April Albright