May 1, 2009

California Energy Commission
Docket Unit
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: LODI ENERGY CENTER MAY STATUS REPORT

Enclosed for filing with the California Energy Commission is the original copy of LODI ENERGY CENTER MAY STATUS REPORT, for the Lodi Energy Center (08-AFC-10).

Sincerely,

Robert Gladden
Counsel to NCPA
In the Matter of: Application for Certification for the Lodi Energy Center DOCKET NO. 08-AFC-10 LODI ENERGY CENTER MAY STATUS REPORT

The Northern California Power Agency (NCPA) submits this May Status Report to update the Committee on the progress related to the processing of its Lodi Energy Center.

NCPA has rendered all relevant responses to the Data Requests issued by the CEC staff and has continued to work towards an expeditious progression through the certification process.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

On April 15, 2009, the San Joaquin Valley Air Pollution District issued its Preliminary Determination of Compliance (PDOC).

CULTURAL RESOURCES

There is currently an Objection filed by NCPA on April 15, 2009, to the Data Request 13 Supplement (a request for extensive studies). CEC staff has contacted NCPA's representatives in an effort to temper the request, to which, NCPA is not opposed and looks forward to resolving this issue and moving the whole project forward. However, NCPA believes that the resolution is not necessary for Staff to publish its PSA.

LAND USE

As stated in the April Status Report, NCPA has continued to work with the owners of the Kingdon Airport to resolve any potential inconsistencies between the Airport Land Use Plan and the addition of a PG&E gas pipeline adjacent to its existing gas pipeline which
crosses the runway protection zone. The San Joaquin Council of Governments has published proposed modifications to its Airport Master Plan to remove any inconsistency.

VARIANCE FOR SAN JOAQUIN MULTI-SPECIES HABITAT CONSERVATION (HCP)

NCPA, along with the CEC staff Biologist, has recently met with the SJCOG to discuss the particulars of obtaining the on-site variance for the HCP. It is anticipated that the decision for the variance, as it relates to the canal/slough setback requirement, will be made sometime in June after going through the review process within SJCOG. There does not appear to be any impediment to the PSA preparation and publication.

WORKER SAFETY / FIRE PROTECTION

NCPA responded to Staff’s Data Requests relating to Worker Safety/Fire Protection and believes that Staff has all the information necessary to publish its PSA.

SCHEDULE

NCPA believes that Staff has all of the information necessary to complete its PSA and looks forward to reviewing it when released. NCPA urges the Staff to release the PSA in May.

Dated: May 1, 2009

Robert Gladden
Counsel to NCPA
APPLICATION FOR CERTIFICATION FOR THE Lodi Energy Center

**APPLICANT**

Ken Speer  
Assistant General Manager  
Northern California Power Agency  
651 Commerce Drive  
Roseville, CA 95678  
ken.speer@ncpagen.com

Ed Warner  
Project Manager  
Northern California Power Agency  
P.O. Box 1478  
Lodi, CA 95241  
ed.warner@ncpagen.com

**APPLICANT'S COUNSEL**

Scott Galati  
Galati Blek  
455 Capitol Avenue, Ste. 350  
Sacramento, CA 95814  
sgalati@gb-llp.com

Andrea Grenier  
Grenier & Associates, Inc.  
1420 E. Roseville Pkwy, Ste. 140-377  
Roseville, CA 95661  
andrea@agrenier.com

Sarah Madams  
CH2MHILL  
2485 Natomas Park Drive, Ste. 600  
Sacramento, CA 95833  
smadams@ch2m.com

**APPLICANT'S ENGINEER**

Steven Blue  
Project Manager  
Worley Parsons  
2330 E. Bidwell, Ste. 150  
Folsom, CA 95630  
Steven.Blue@WorleyParsons.com

**INTERESTED AGENCIES**

California ISO  
e-recipient@caiso.com

**INTERVENORS**

Karen Douglas  
Chairman and Presiding Member  
kldougla@energy.state.ca.us

Jeffrey D. Byron  
Commissioner and Associate Member  
jabryon@energy.state.ca.us

Kenneth Celli  
Hearing Officer  
kcelli@energy.state.ca.us

Rod Jones  
Project Manager  
rjones@energy.state.ca.us

Melanie Moultrie  
Staff Counsel  
MMoultrie@energy.state.ca.us

Elena Miller  
Public Adviser  
publicadviser@energy.state.ca.us
DECLARATION OF SERVICE

I, Ashley Y Garner, declare that on May 1, 2009, I served and filed copies of the attached LODI ENERGY CENTER MAY STATUS REPORT dated May 1, 2009. 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/lodi]. 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

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:

_X__ 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.

Ashley Y. Garner