

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

**DOCKET**

**08-AFC-13**

DATE DEC 21 2009

RECD. DEC 21 2009

In the Matter of:

The Application for Certification for the  
SES Solar One Project

Docket No. 08-AFC-13

**CALIFORNIA UNIONS FOR RELIABLE ENERGY  
STATUS REPORT NO. 3**

December 21, 2009

Loulena A. Miles  
Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
(650) 589-1660 Voice  
(650) 589-5062 Facsimile  
lmiles@adamsbroadwell.com  
mdjoseph@adamsbroadwell.com

Attorneys for the CALIFORNIA  
UNIONS FOR RELIABLE ENERGY

## **INTRODUCTION**

The California Unions for Reliable Energy (“CURE”) submit this status report pursuant to the Revised Committee Scheduling Order issued on November 24, 2009. CURE has been an active participant in this proceeding since our petition to intervene was granted on June 16, 2009. CURE attended the June 22, 2009 Informational Hearing and the September 16, 2009 Data Request and Issue Resolution workshop and CURE will attend the December 22, 2009 Issue Resolution workshop.

CURE submitted data requests on biological resources to the applicant on June 26, 2009. CURE submitted data requests on transmission issues on July 9, 2009. CURE submitted a third set of data requests on October 14, 2009 to clarify the applicant’s responses to CURE’s earlier data requests on transmission and biological issues and to obtain information on a number of additional issue areas. Finally, in November, CURE submitted data requests on the biological impacts of the transmission expansion necessary for the Project.

On December 11, 2009, CURE submitted a letter to Energy Commission Staff Counsel Caryn Holmes regarding the need for additional review of the transmission upgrades necessary for the Solar One Project. This status report includes a discussion of this issue and how it impacts the status of this proceeding.

## **DISCUSSION**

The applicant has not provided sufficient data about the current environmental conditions along the transmission line route, the environmental

conditions at the locations of the proposed interim transmission upgrades or the environmental conditions at the Pisgah substation expansion. Moreover, the applicant has not provided detailed information about the environmental *impacts* that will result from the necessary upgrades to these facilities.

As explained in a letter docketed with the Energy Commission on December 11, 2009, the 67-mile transmission line expansion, the Pisgah substation expansion, and the interim interconnection upgrades needed for the first 275 MW phase of the Solar One Project must all be studied as a part of the whole of the action pursuant to the CEQA-equivalent review of the Project at the Energy Commission.

Commission Staff have acknowledged that the transmission line is part of the ‘whole of the action’ under CEQA for months and requested specific information about these impacts in a letter submitted on October 21, 2009. The applicant has failed to respond to this request. Additionally, CURE sought information about these upgrades in data requests and, for the most part, the applicant refused to provide this data in response to CURE data requests. Instead, the applicant stated that the “potential Project impacts cannot be assessed at this time because a final Project design has not been engineered.”<sup>1</sup>

Without this information, it is not possible to move forward with an analysis of this Project. As outlined in the CURE letter, the transmission line alone covers nearly the same amount of land as the entire Project itself and would be primarily located on desert tortoise habitat, some of which is designated critical habitat by the U.S. Fish and Wildlife Service.

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<sup>1</sup> SES Solar One, In Response to CURE Data Requests Set 4, December 2009, request no. 382.

The transmission line would also travel through other protected areas. The applicant has not submitted cultural resource surveys or biological surveys for these upgrades. A great deal of environmental review and analysis is needed on the transmission upgrades that will be required for this Project. Until this information is provided, the Energy Commission should put this Project on hold.

### CONCLUSION

CURE looks forward to reviewing the data and information concerning the transmission line upgrade, the substation upgrades and the interim interconnect upgrades necessary for the operation of the Solar One facility. CURE will attend the workshop on December 22, 2009 and anticipates participating in all further portions of this proceeding.

Dated: December 21, 2009

Respectfully submitted,

/s/

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Loulena A. Miles  
Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
(650) 589-1660 Voice  
(650) 589-5062 Facsimile  
lmiles@adamsbroadwell.com  
mdjoseph@adamsbroadwell.com

Attorneys for the CALIFORNIA  
UNIONS FOR RELIABLE ENERGY

DECLARATION OF SERVICE

I, Bonnie Heeley, declare that on December 21, 2009, I served and filed copies of the attached CURE’s Status Report No. 3 dated December 21, 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/solarone. 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 electronically to all email addresses on the Proof of Service list; and by depositing in the U.S. mail at South San Francisco, CA, with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list to those addresses NOT marked “email preferred.”

AND

By sending an original paper copy and one electronic copy, mailed and emailed respectively to:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 08-AFC-1  
1516 Ninth Street, MS 4  
Sacramento, CA 95814-5512  
[docket@energy.state.us.ca](mailto:docket@energy.state.us.ca).

I declare under penalty of perjury that the foregoing is true and correct. Executed at South San Francisco, CA, on December 21, 2009.

\_\_\_\_\_/s/\_\_\_\_\_  
Bonnie Heeley

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 08AFC13  
1516 Ninth Street, MS-4  
Sacramento, CA 95184  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

Felicia Bellows  
Vice President, Development  
Tessera Solar  
4800 North Scottsdale Road  
Suite 5500  
Scottsdale, AZ 85251  
[Felicia.bellows@tesseractosolar.com](mailto:Felicia.bellows@tesseractosolar.com)

Camille Champion  
Project Manager  
Tessera Solar  
4800 North Scottsdale Road  
Suite 5500  
Scottsdale, AZ 85251  
[Camille.champion@tesseractosolar.com](mailto:Camille.champion@tesseractosolar.com)

Angela Leiba  
AFC Project Manager  
URS Corporation  
1615 Murray Canyon Rd., #1000  
San Diego, CA 92108  
[Angela\\_Leiba@URSCorp.com](mailto:Angela_Leiba@URSCorp.com)

Allan J. Thompson  
Attorney at Law  
21 C Orinda Way #214  
Orinda, CA 94563  
[allanori@comcast.net](mailto:allanori@comcast.net)

Jim Stobaugh  
BLM-Nevada State Office  
PO Box 12000  
Reno, NV 89520  
[Jim\\_stobaugh@blm.gov](mailto:Jim_stobaugh@blm.gov)

Rich Rotte, Project Mgr.  
Bureau of Land Management  
Barstow Field Office  
2601 Barstow Road  
Barstow, CA 92311  
Richard\_Rotte@blm.gov

James D. Boyd  
Vice Chair & Presiding Member  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814  
jboyd@energy.state.ca.us

Jeffrey D. Byron  
Commissioner & Associate Member  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814  
jbyron@energy.state.ca.us

Paul Kramer  
Hearing Officer  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814  
pkramer@energy.state.ca.us

Caryn Holmes  
Staff Counsel  
California Energy Commission  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[cholmes@energy.state.ca.us](mailto:cholmes@energy.state.ca.us)

Christopher Meyer  
Project Manager  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814  
cmeyer@energy.state.ca.us

Public Adviser  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814  
publicadviser@energy.state.ca.us

Loulena Miles  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
lmiles@adamsbroadwell.com

Becky Jones  
California Department of Fish &  
Game  
36431 41<sup>st</sup> Street East  
Palmdale, CA 93552  
dfgpalm@adelphia.net

Basin & Range Watch  
Laura Cunningham  
Kevin Emmerich  
PO Box 70  
Beatty, NV 89003  
atmoictoadranch@netzero.net

Patrick C. Jackson  
600 N. Darwood Avenue  
San Dimas, CA 91773  
**E-MAIL PREFERRED**  
ochsjack@earthlink.net

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

Defenders of Wildlife  
Joshua Basofin  
1303 J Street, Suite 270  
Sacramento, CA 95814  
**EMAIL PREFERRED**  
jbasonfin@defenders.org