

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

DOCKET	
08-AFC-13	
DATE	JUL 29 2010
RECD.	JUL 29 2010

In the Matter of:) Docket No. 08-AFC-13
)
Application for Certification for the) July 29, 2010
Calico Solar Project (formerly known as)
SES Solar 1), SES Solar Three, LLC and)
SES Solar Six, LLC)

Staff's Prehearing Conference Statement

On July 13, 2010, the Committee assigned to the Imperial Valley Solar Project issued a **Notice of Prehearing Conference and Evidentiary Hearings**. In that **Notice**, the Committee directed all parties to serve and file a Prehearing Conference Statement on July 29, 2010. This is staff's Prehearing Conference Statement.

1. Topic Areas Ready for Hearing

All topic areas except cultural resources and traffic and transportation are ready for hearing.

2. Topic Areas Not Ready for Hearing

Cultural resources and traffic and transportation are not ready for hearing. As previously discussed, staff's final analysis of cultural resource impacts was delayed and the Committee has scheduled a separate evidentiary hearing on August 18, 2010, to take testimony on cultural resources and to receive the federal documents related to approval of the project. In addition, staff determined in the last two weeks that new information required additional analysis of traffic and transportation impacts, so staff's final analysis of these issues was not included in the Supplemental Staff Assessment (SSA), but will be filed as soon as it is available, and no later than the scheduled filing of the cultural resources section on August 9, 2010. Staff recommends that testimony on traffic and transportation also be scheduled for August 18, 2010.

3. Topic Areas that Require Adjudication

Staff does not know all the areas that will require adjudication or the precise nature of the disputes for each topic because it has not seen the rebuttal testimony of other parties. At this time, however, staff anticipates that the topics of alternatives, air quality, biological resources, land use, soil and water resources, visual resources, and power plant reliability may require adjudication.

4. Testimony and Witnesses

Staff has offered the Supplemental Staff Assessment (SSA) as its prepared testimony, and will request that it be marked as Exhibit 300. Sections of the SSA were delivered by email to parties beginning July 14, 2010 and the entire document (except for sections on cultural resources and traffic and transportation) was published July 21, 2010. The witnesses for each section and each witness' topics are identified within the SSA, and the qualifications of each witness are also included there. Staff will also request that the Final Determination of Compliance be marked as Exhibit 301. Staff's only rebuttal testimony at this time consists of updates to mitigation cost estimates, including costs of a regional raven control program, which will be marked as Exhibit 303. Staff will testify remotely at the hearing and anticipates direct examination of its witnesses will require the following amounts of time:

Alternatives	10 min.
Air quality	10 min.
Biological resources	30 min.
Land use	10 min.
Soil and water resources	30 min.
Visual resources	10 min.
Power plant reliability	10 min.

5. Cross Examination Estimates

Staff has not seen all rebuttal testimony so is unable to fully assess the time that may be needed for all cross examination, but based on testimony filed to date, staff makes the following estimates of the time it will need for cross examination of the applicant for each topic:

Alternatives	15 min.
Air quality	15 min.
Biological resources	1 hr.
Land use	15 min.
Soil and water resources	1 hr.
Visual resources	15 min.
Power plant reliability	15 min.

Staff does not have any cross-examination of the interveners planned at this time, but reserves the right to add such cross-examination after rebuttal testimony is filed. Until rebuttal testimony is filed, staff cannot identify the scope of cross-examination.

6. Exhibit List

Staff plans to introduce the Supplemental Staff Assessment as Exhibit 300; the final Determination of Compliance as Exhibit 301; "Estimated Allocation of Fire Facility Cost to Proposed Solar Energy Installations," June 30, 2010, Stanley R Hoffman Associates (for San Bernardino County Fire Department), as Exhibit 302; and Staff Rebuttal Testimony and Errata (updating the Biological Resources Section of the SSA and Conditions of Certification BIO-17 and BIO-18), July 29, 2010, as Exhibit 303.

7. Briefing dates

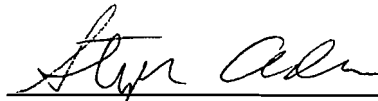
The committee has established a deadline of August 9, 2010, for post-hearing briefs, which staff feels is reasonable unless additional issues emerge prior to or during the hearings. Staff believes a separate briefing schedule will be needed for Cultural and Traffic and Transportation, since these topics will not be addressed until the supplemental hearing on August 18, 2010.

8. Modifications to the Conditions of Certification

Staff is submitting revisions to its proposed conditions of certification BIO-17 and BIO-18 for the purpose of updating mitigation cost estimates with the latest figures developed by staff in consultation with other state and federal agencies. The updates include changes to the costs of participating in a regional raven control program. The revised conditions with corresponding changes in the SSA Biological Resources sections are included in Staff Rebuttal Testimony and Errata that is being published at the same time as this statement.

Date: July 29, 2010

Respectfully submitted,



CARYN J. HOLMES
STEPHEN ADAMS
Counsel for California
Energy Commission Staff
1516 9th St., MS-14
Sacramento, CA 95814
Ph: (916) 654-3951
Fax: (916) 654-3843



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 CALICO SOLAR (Formerly SES Solar One)

Docket No. 08-AFC-13

PROOF OF SERVICE
(Revised 7/12/10)

APPLICANT

Felicia Bellows
Vice President of Development &
Project Manager
Tessera Solar
4800 North Scottsdale Road,
#5500
Scottsdale, AZ 85251
felicia.bellows@tesserasolar.com

CONSULTANT

Angela Leiba
AFC Project Manager
URS Corporation
1615 Murray Canyon Rd., #1000
San Diego, CA 92108
angela_leiba@URSCorp.com

APPLICANT'S COUNSEL

Allan J. Thompson
Attorney at Law
21 C Orinda Way #314
Orinda, CA 94563
allanori@comcast.net

Ella Foley Gannon, Partner
Bingham McCutchen, LLP
Three Embarcadero Center
San Francisco, CA 94111
ella.gannon@bingham.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Jim Stobaugh
BLM – Nevada State Office
P.O. Box 12000
Reno, NV 89520
jim_stobaugh@blm.gov

Rich Rotte, Project Manager
Bureau of Land Management
Barstow Field Office
2601 Barstow Road
Barstow, CA 92311
richard_rotte@blm.gov

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

INTERVENORS

County of San Bernardino
Ruth E. Stringer, County Counsel
Bart W. Brizzee, Deputy County Counsel
385 N. Arrowhead Avenue, 4th Floor
San Bernardino, CA 92415-0140
bbrizzee@cc.sbcounty.gov

California Unions for Reliable Energy
(CURE)
c/o: Loulena A. Miles, Marc D. Joseph
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Ste. 1000
South San Francisco, CA 94080
lmiles@adamsbroadwell.com

Defenders of Wildlife
Joshua Basofin
1303 J Street, Suite 270
Sacramento, California 95814
e-mail service preferred
ibasofin@defenders.org

Society for the Conservation of
Bighorn Sheep
Bob Burke & Gary Thomas
P.O. Box 1407
Yermo, CA 92398
cameracoordinator@sheepsociety.com

Basin and Range Watch
Laura Cunningham & Kevin Emmerich
P.O. Box 70
Beatty, NV 89003
atomictoadranch@netzero.net

Patrick C. Jackson
600 N. Darwood Avenue
San Dimas, CA 91773
e-mail service preferred
ochsjack@earthlink.net

Gloria D. Smith, Senior Attorney
Sierra Club
85 Second Street, Second floor
San Francisco, CA 94105
gloria.smith@sierraclub.org

*Newberry Community Service District
Wayne W. Weierbach
P.O. Box 206
Newberry Springs, CA 92365
newberryCSD@gmail.com

ENERGY COMMISSION

ANTHONY EGGERT
Commissioner and Presiding Member
aeggert@energy.state.ca.us

JEFFREY D. BYRON
Commissioner and Associate Member
jbyron@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Lorraine White, Adviser to
Commissioner Eggert
e-mail service preferred
lwhite@energy.state.ca.us

Kristy Chew, Adviser to
Commissioner Byron
e-mail service preferred
kchew@energy.state.ca.us

Caryn Holmes
Staff Counsel
cholmes@energy.state.ca.us

Steve Adams
Co-Staff Counsel
sadams@energy.state.ca.us

Christopher Meyer
Project Manager
cmeyer@energy.state.ca.us

Jennifer Jennings
Public Adviser
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Lynn Tien-Tran, declare that on July 29, 2010, I served and filed copies of the attached **Staff's Prehearing Conference Statement**, dated July 29, 2010. 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 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;
 by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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-13
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, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

