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November 11, 2010

DOCKET

08-AFC-13

DATE NOV 11 2010

RECD. NOV 15 2010

California Energy Commission
Attn: Docket Office, 08-AFC-13
1516 Ninth Street
Sacramento, CA 95814

Re: Calico Solar; Docket No. 08-AFC-13

Dear Docket Clerk:

Please process the enclosed original and conform the copy of the enclosed letter re: **Notice of Decision for Calico Solar Project**, and return the copy in the envelope provided.

Thank you.

Sincerely,

/s/

Valerie Stevenson

:vs
Enclosures

ADAMS BROADWELL JOSEPH & CARDOZO

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November 11, 2010

VIA E-MAIL AND U.S. MAIL

Melissa Jones
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814
E-mail: sglick@energy.state.ca.us, Executive Assistant

Re: Notice of Decision for Calico Solar Project (08-AFC-13)

Dear Ms. Jones:

We are writing on behalf of California Unions for Reliable Energy and Mr. William Perez regarding the Notice of Decision (“NOD”) you issued for the Calico Solar Project (08-AFC-13).¹ You signed the NOD on November 2, 2010 and filed it with the California Energy Commission docket and the Resources Agency of California on November 3, 2010. As discussed below, the NOD fails to comply with legal requirements and must be withdrawn.

Under the California Environmental Quality Act (“CEQA”), an NOD, which serves the same purpose as a Notice of Determination, may not be issued until final action has been taken to approve the project. (Cal. Code. Regs., Title 14, § 15094(a).) The lead agency may only approve the Project “in conjunction with” making required *written* findings concerning the Project’s environmental effects and a *written* Statement of Overriding Considerations, if one is necessary. (Pub. Resources Code, §§ 21081, 21081.6; Cal. Code. Regs., Title 14, §§ 15091, 15092(a), 15093(b).)

¹ See Attachment 1, NOD, signed on November 2, 2010.
2309-122b

The Energy Commission's regulations require the executive director to file a "notice of the *final decision* with the Secretary of the Resources Agency." (Cal. Code. Regs., Title 20, § 1768, emphasis added.)² The Warren-Alquist Act requires that the Final Decision be in writing and that it include, among other things, specific provisions regarding facility design, and findings regarding conformity with Commission standards as well as local, regional, state, and federal standards. (Pub. Resources Code, §§ 25523, 25540.6(a)(1); *see also* Cal. Code. Regs., Title 20, §§ 1755, 1770.)

In this case, contrary to statements in the NOD, the Commission's approval of the Project did not occur on October 28, 2010. The Commission did not approve a "decision or order" that includes the required written findings regarding mitigation or avoidance of environmental impacts, the Conditions of Certification, the Compliance Monitoring Plan, and the Override Findings.³ Because the Commission has not yet issued a Final Decision that satisfies these requirements, it has not yet effectively "approved" the Application for Certification for the Project.

Further, because the NOD was docketed before the Final Decision has been adopted, issued, and docketed, the NOD is legally invalid and does not trigger the 30-day statute of limitations for judicial review under CEQA and the Warren-Alquist Act. (Pub. Resources Code, §§ 21080.5(g), 25531; *see also* *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 532 [original Notice of Determination invalid because it did not comply with all matters of substance], citing *International Longshoremen's & Warehousemen's Union v. Board of Supervisors* (1981) 116 Cal.App.3d 265, 273.) Pursuant to the California Energy Commission's regulations, this 30-day limitations period is tolled *only* when the Final Decision itself is docketed and becomes effective. (Cal. Code. Regs., Title 20, § 1720.4.) Section 1720.4 provides, in pertinent part:

For the purposes of implementing section[] . . . 25531 . . . of the Public Resources Code, a decision or order is adopted, issued, final, and effective on the day when the decision or order is docketed, unless the decision or order states otherwise.

² *See Public Participation in the Siting Process: Practice and Procedure Guide*, CEC, December 2006, p. 125 [description of final Commission decision]; *see also id.* at, p. 133 [Appendix A, Notice of Decision is described as a summary of the "final written decision adopted by the Energy Commission"].

³ *Compare* Commission's Final Decision, September 2010, 08-AFC-5, available at: <http://www.energy.ca.gov/2010publications/CEC-800-2010-006/CEC-800-2010-006-CMF.PDF>.

The NOD also contains statements that are patently false and that fail to comply with the statutory requirements for a legally sufficient NOD. For example, The NOD states that, as of the date you signed the NOD:

The Commission docket files containing the final Commission Decision ... regarding the project are available to the public at: California Energy Commission, 1516 9th Street, Sacramento, California, 95814. The final Decision ... regarding the project is also available on the Commission's web site located at <http://www.energy.ca.gov/sitingcases/calicosolar/>.

However, the Commission's Final Decision was not available on November 2, 2010 at either location. In fact, to date, the Commission's Final Decision is still not available for the public to review.⁴ Because the NOD dated November 2, 2010 contains false information, it is invalid.

Additionally, the NOD incorrectly states that the Commission determined its findings and conditions for the Project and implies that such findings and conditions have been reviewable by the public in a final Decision as of November 2, 2010. Again, this statement and the implication that such determinations have been available for review beginning on November 2, 2010 are false. Notably, the absence of a final reviewable record is also inconsistent with the informational purposes of CEQA and the public records disclosure requirements of the Warren-Alquist Act. (See Pub. Resources Code, § 21005; see also, e.g., Cal. Code. Regs., Title 14, §§ 15094, 15097; see also Pub. Resources Code, § 25223; see also Cal. Code. Regs., Title 20, § 2504.)

Thus, the Commission must immediately withdraw the NOD dated November 2, 2010, provide notice to the public of the withdrawal, and refrain from issuing and docketing an NOD until after the Commission's Final Decision is, in fact, adopted, issued, and docketed. For clarity, please provide written confirmation that (1) the NOD has been withdrawn and (2) that the NOD does not trigger the 30-day statute of limitations for judicial review. Please also provide us with the Final Decision as soon as possible following its adoption.

⁴ See Attachments 2 and 3, Project's Case Documents webpage and Docket log, both dated November 10, 2010, respectively. As of November 11, 2010, neither the NOD, nor the Final Decision were posted on the web page or the Docket log.

Melissa Jones, CEC Executive Director
November 11, 2010
Page 4

Thank you in advance for your prompt attention to this matter.

Sincerely,

/s/

Jason W. Holder

JWH:vs
Attachments

cc: California Energy Commission, Docket (08-AFC-13)
Michael Levy, c/o assistant at e-mail: mtran@energy.state.ca.us
Kirk Miller: Kirk.Miller@resources.ca.gov, Deputy Secretary and General
Counsel for California Resources Agency

Attachment 1

Notice of Decision by California Energy Commission



To: Office of Planning and Research
P.O. Box 3044
1400 Tenth Street, Room 222
Sacramento, CA 98512-3044

Clearinghouse No: _____

DOCKET

08-AFC-13

DATE

RECD. NOV 03 2010

 X California Resources Agency
1416 9th Street, Room 1311
Sacramento, CA 95814

From: California Energy Commission
1516 9th Street
Sacramento, CA 95814

Subject: Filing of Notice of Decision in compliance with Public Resources Code Section 21080.5 and Title 20, California Code of Regulations, Section 1768

Project Title: CALICO SOLAR PROJECT

Energy Commission Docket Number: 08-AFC-13

Energy Commission Contact Person: Christopher Meyer Telephone: (916) 653-1639

Project Location: The Calico Solar Project would be located on approximately 4,613 acres of public land managed by the Bureau of Land Management (BLM) in San Bernardino County, California. The project site is along Interstate 40 (I-40) approximately 115 miles east of Los Angeles, 37 miles east of Barstow, 17 miles east of Newberry Springs, and 57 miles northeast of Victorville.

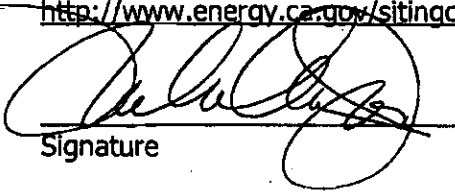
County: San Bernardino County

Project Description: The proposed Calico Solar Project (CSP) would be a nominal 663.5-megawatt (MW) Solar Stirling Engine project, with construction planned to begin in late 2010. Although construction would take approximately 40 months to complete, power would be available to the grid as each of the 442.5 1.5-MW, 60-unit groups of Stirling Engine modules is completed. The primary equipment for the generating facility would include approximately 26,540, 25-kilowatt solar dish Stirling systems (referred to as SunCatchers), their associated equipment and systems, and their support infrastructure. Each SunCatcher consists of a solar receiver heat exchanger and a closed-cycle, high-efficiency Solar Stirling Engine specifically designed to convert solar power to rotary power then driving an electrical generator to produce electricity.

On October 28, 2010, the California Energy Commission approved the above-described project pursuant to a regulatory program certified by the Secretary of the California Natural Resources Agency under Section 21080.5 of the California Public Resources Code and has made the following determinations regarding the above described project:

1. The project will have a significant effect on the environment.
2. Mitigation measures were made a condition of the approval of the project.
3. A mitigation reporting or monitoring plan was adopted for this project.
4. Findings of Overriding Considerations were adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

The Commission docket files containing the final Commission Decision and other information regarding the project are available to the public at: California Energy Commission, 1516 9th Street, Sacramento, California, 95814. The final Decision and other information regarding the project is also available on the Commission's web site located at <http://www.energy.ca.gov/sitingcases/calicosolar/>.


Signature

11/2/2010
Date

Executive Director
Title

Dates received for filing

OPR:

Resources:



Resources Agency of California



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
 2010 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#	394743
STATE CLEARING HOUSE # (if applicable)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY	Resources			DATE	11-3-10
COUNTY/STATE AGENCY OF FILING	DFG Sacramento			DOCUMENT NUMBER	
PROJECT TITLE	Caioco Solar Project				
PROJECT APPLICANT NAME	CA Energy Commission			PHONE NUMBER	()
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE		
1516 9th St.	Sacramento	CA	95814		
PROJECT APPLICANT (Check appropriate box):					
<input type="checkbox"/> Local Public Agency		<input type="checkbox"/> School District		<input type="checkbox"/> Other Special District	
<input type="checkbox"/> Local Public Agency		<input checked="" type="checkbox"/> State Agency		<input type="checkbox"/> Private Entity	

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$2,792.25 \$ _____
- Mitigated/Negative Declaration (ND)(MND) \$2,010.25 \$ _____
- Application Fee Water Diversion (State Water Resources Control Board Only) \$850.00 \$ _____
- Projects Subject to Certified Regulatory Programs (CRP) \$949.50 \$ 949.50
- County Administrative Fee \$50.00 \$ _____
- Project that is exempt from fees
 - Notice of Exemption
 - DFG No Effect Determination (Form Attached)
- Other _____ \$ _____

check # 1247

PAYMENT METHOD:

- Cash Credit Check Other _____

TOTAL RECEIVED \$ 949.50

SIGNATURE	TITLE
X	Accountant /

WHITE - PROJECT APPLICANT

YELLOW - DFG/ASB

PINK - LEAD AGENCY

GOLDEN ROD - COUNTY CLERK

FG 753.5a (Rev 11/09)

Attachment 2

The California ENERGY COMMISSION

[Home](#) → [dockets](#) → [docket redesign](#)

Calico Solar Project Power Plant

Docket Number 08-AFC-13

PLEASE NOTE: This Docket Log is only a **listing** of all the documents filed in a proceeding. It was not set up to have links to all documents filed in a proceeding. Not all documents are available on line. The major documents for this proceeding are on the "documents page." Please click on the link to the documents page from the proceeding's main page.

If you would like copies of a document listed on this docket log, please contact:

Dockets Unit
916-654-5076
E-mail: DOCKET@energy.state.ca.us

Each docket log is updated Friday, but only if items have been added that week.

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58884	10 / 28 / 2010	CEC / Docket Unit	Adams, Broadwell Joseph & Cardozo / C. Horton	CURE's & Mr. William Perez Comments on PMPD	9
58883	10 / 28 / 2010	CEC / C. Meyer	Adams, Brodwell, Joseph & Cardozo / L. Miles	Comments of Scott Cashen on Applicant's Desert Tortoise Translocation Plan	13
58891	10 / 26 / 2010	CEC / C. Meyers	KattenMuchinRosenman LLP / C. Burch	BNSF's Revisions to Soil & Water Conditions	29
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58890	10 / 25 / 2010	CEC / Docket Unit	Adams, Broadwell, Joseph & Cardozo / V. Stevenson	CURE's Additional Comments on the PMPD	77
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58918	10 / 21 / 2010	CEC / C. Meyer	Sierra Club / T. Ritchie	Public Comment - News Article Related to Desert Tortoises Found on Project Site	7
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58086	08 / 16 / 2010	CEC / C. Meyer	Tessera Solar / F. Bellows	Applicant's Proposed Revisions to Cultural Conditions of Certification	21
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58049	08 / 13 / 2010	CEC / C. Meyer	Tessera Solar / F. Bellows	Applicant's Phase 1a Desert Tortoise Figures	10
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58026	08 / 12 / 2010	CEC / Docket Unit	CEC / Commissioners A. Eggert / J. Byron	Revised Notice of Evidentiary Hearing and Briefing Schedule	6
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55399	02 / 13 / 2010	CEC / Docket Unit	Intervenor / P. Jackson	Intervener Patrick Jackson's Status Report No. 4	4
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54897	01 / 19 / 2010	CEC / Docket Unit	ABJ&C / B. Heeley	California Unions for Reliable energy Status Report #4	8
54869	01 / 15 / 2010	CEC / C. Meyer / BLM / J. Stobaugh	Tessera / C. Champion	Applicant Submittal of Additional Information Regarding Project Water Supply	34
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54427	12 / 10 / 2009	CEC / C. Meyer	Tessera Solar / F. Bellows	Applicant's Updated Project Map	6
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Commission's Documents

[Notice of Decision and CDFG Filing Fee Receipt. Posted November 4, 2010. \(PDF file, 3 pages, 86 kb\)](#)

[Transcript of the October 26, 2010, Continuation of the Committee Conference. Posted November 1, 2010. \(PDF file, 102 pages, 185 kb\)](#)

[Transcript of the October 22, 2010, Committee Conference on the Presiding Members Proposed Decision. Posted October 27, 2010. \(PDF file, 222 pages, 508 kb\)](#)

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[Motion to Reopen the Record for Purpose of Receiving Bureau of Land Management \(BLM\) Memorandum on Use of Donated Lands. Posted October 18, 2010. \(PDF file, 7 pages, 25 kb\)](#)

[Presiding Member's Proposed Decision. Posted September 25, 2010. \(PDF file, 712 pages, 14.5 megabytes\)](#)

[Staff's Updated Soil & Water Conditions Of Certification. Posted September 22, 2010. \(PDF file, 19 pages, 119 kb\)](#)

[Transcript of the September 20, 2010, Evidentiary Hearing. Posted September 22, 2010. \(PDF file, 577 pages, 1.21 mb\)](#)

[Supplemental Staff Assessment Addendum. Dated September 17, 2010. Posted September 20, 2010. \(PDF file, 153 pages, 3.4 megabytes\)](#)

[Additional Staff Revision Regarding Biological Conditions. Posted August 30, 2010. \(PDF file, 75 pages, 335 kb\)](#)

[Transcript of the August 25, 2010, Evidentiary Hearing. Posted August 30, 2010. \(PDF file, 359 pages, 652 kb\)](#)

[Exhibit 313 - Staff Comments to Question Provided by Hearing Officer Regarding Desert Tortoise. Posted August 26, 2010. \(PDF file, 4 pages, 130 kb\)](#)

[Staff's Brief. Posted August 24, 2010. \(PDF file, 25 pages, 264 kb\)](#)

[Transcript of the August 18, 2010, Evidentiary Hearing. Posted August 22, 2010. \(PDF file, 469 pages, 851 kb\)](#)

[Transcript of the August 5, 2010, Evidentiary Hearing. Posted August 18, 2010. \(PDF file, 418 pages, 836 kb\)](#)

[California Energy Commission Staff's Second Errata to the Supplemental Staff Assessment. Posted August 17, 2010. \(PDF file 142 pages, 729 kb\)](#)

[Evidentiary Hearing Briefs and Testimony. \(PDF files, See inside for date\)](#)

[Transcript of the August 4, 2010, Evidentiary Hearing. Posted August 4, 2010. \(PDF file, 316 pages, 616 kb\)](#)

[Transcript of the August 6, 2010, Evidentiary Hearing. Posted August 6, 2010. \(PDF file, 262 pages, 434 kb\)](#)

[SUPPLEMENTAL Staff Assessment - Part 2. Posted August 9, 2010. \(PDF file, 257 pages, 4.5 megabytes\)](#)

[California Energy Commission Staff's Errata to the Supplemental Staff Assessment. Posted August 4, 2010. \(PDF file, 93 pages, 7.77 megabytes\)](#)

[Transcript of the July 30, 2010, Prehearing Conference. Posted August 4, 2010. \(PDF file, 138 pages, 305 kb\)](#)

[California Energy Commission Staff's Rebuttal Testimony + Errata. Posted July 21, 2010. \(PDF file, 20 pages, 247 kb\)](#)

[California Energy Commission Staff's Prehearing Conference Statement. Posted July 29, 2010. \(PDF file, 5 pages, 153 kb\)](#)

[SUPPLEMENTAL Staff Assessment. Full Document Download. Posted July 21, 2010. \(PDF file, 1,316 pages, 74.7 megabytes - Please note size! Right-click the link to download instead of opening within your browser.\)](#)

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[Staff Status Report #5. Posted March 10, 2010. \(PDF file, 3 pages, 77.9 kb\)](#)

[Staff Status Report #3. Posted December 29, 2009. \(PDF file, 4 pages, 60 kb\)](#)

[Transcript of September 16, 2009, Data Request and Issues Resolution Workshop, Posted December 3, 2009. \(PDF file, 185 pages, 1.1 megabytes\)](#)

[Transcript of the November 10, 2009, Committee Conference, Posted December 1, 2009. \(PDF file, 54 pages, 96 kb\)](#)

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Staff's Status Report #1, Posted August 27, 2009. (PDF file, 6 pages, 342 kb)

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Transcript of June 22, 2009, Informational Hearing, Site Visit and Scoping Meeting - Posted July 13, 2009. (PDF file, 84 pages, 596 kb)

Staff Presentation by Christopher Meyer, California Energy Commission, and Jim Stobaugh, BLM, at the June 22, 2009 Informational Hearing & Scoping Meeting. Posted June 24, 2009. (PDF file, 29 pages, 2.9 MB)

Data Requests Set 1, Part 1 (numbers 1-91), Posted June 17, 2009. (PDF file, 27 pages, 128 kb)

Issues Identification Report, dated June 12, 2009. Posted June 12, 2009. (PDF file, 16 pages, 108 kb)

Revised Data Adequacy Recommendation, dated April 27, 2009. Posted May 1, 2009. (PDF file, 82 pages, 400 kb)

Data Adequacy Recommendation, dated December 31, 2008. Posted December 31, 2008. (PDF file, 101 pages, 456 kb)

Notice of Receipt of AFC, dated December 22, 2008. Posted December 22, 2008. (PDF file, 7 pages, 48 kb)

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SES Solar One Power Project (08-AFC-13) Informational Hearing and Site Visit, presentation by Associate Public Adviser Loreen McMahon, June 22, 2009. (PDF file, 11 pages, 204 kb)

Bureau of Land Management

Bureau of Land Management's Record of decision - Appendices 1 through 4 and 6. Posted October 27, 2010. (PDF File, 405 pages, 11.7 mb)

Bureau of Land Management's October 14th Tortoise Translocation Plan. Posted October 27, 2010. (PDF File, 61 pages, 449 kb)

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Bureau of Land Management's Land Acquisition Data. Posted August 24, 2010. (PDF File, 6 pages, 94 kb)

Bureau of Land Management's Supplemental Biological Assessment. Posted August 3, 2010. (PDF File, 107 pages, 6.1 MB)

Bureau of Land Management's Biological Assessment. Posted April 12, 2010. (PDF File, 55 pages, 4.6 MB)

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Applicant's Comments on the Soil & Water Conditions of Certification. Posted October 27, 2010. (PDF file, 12 pages, 154 kb)

Applicant's Submittal of Additional Comments on the PMPD. Posted October 27, 2010. (PDF file, 25 pages, 1.55 mb)

Applicant's Submittal of Testimony with Applicant's Exhibits for Scenarios 5.5 & 6. Posted September 15, 2010. (PDF file, 260 pages, 8.6 mb)

Applicant's Submittal of Information Requested by Chris Huntley at Calico Workshop, Sept. 9. Posted September 13, 2010. (PDF file, 5 pages, 98 kb)

Applicant's Updated Reduced Project Boundary Scenarios 5.5 & 6 Information. Posted September 13, 2010. (PDF file, 13 pages, 10 mb)

Applicant's Submittal of Detention Basin Removal Analysis from Dr. Chang and Applicant's Proposed Revisions to Soil and Water 8. Posted September 9, 2010. (PDF file, 9 pages, 162 kb)

Applicant's Submittal of Reduced Project Boundary Scenarios. Posted September 8, 2010. (PDF file, 19 pages, 6.1 mb)

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Applicant's Submittal of Staff's Request for Phase 1A Fencing Information. Posted August 26, 2010. (PDF file, 4 pages, 618 kb)

Applicant's Submittal of Numbers of Employees and Numbers and Types of Equipment for October, November and December. Posted August 26, 2010. (PDF file, 6 pages, 819 kb)

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Applicant's Brief Regarding Access to Patrick Jackson's Property. Posted August 12, 2010. (PDF file, 7 pages, 590 kb)

Applicant's Submittal of Design of Project Hydrogen Compressor Groups. Posted August 12, 2010. (PDF file, 5 pages, 3.96 MB)

Applicant's Submittal of the Final Environmental Impact Statement. Posted August 11, 2010. (PDF file, 3 pages, 628 kb)

Applicant's Submittal of First Round of 2010 Spring Botany Surveys. Posted August 11, 2010. (PDF file, 106 pages, 1.75 MB)

Applicant's Updates to Centralized Hydrogen Systems Map. Posted August 9, 2010. (PDF file, 4 pages, 626 kb)

Applicant's Supplement to the Application for Certification. Received 5/14/2010, Posted July 12, 2010. (PDF file, 395 pages,)

Clarification to Applicant's Responses to CEC Email Dated June 4th, 2010. Posted June 21, 2010. (PDF file, 14 pages, 12.9 MB)

Applicant's Responses to CEC Email Dated June 4th, 2010. Posted June 16, 2010. (PDF file, 23 pages, 16.5 MB)

Applicant's Submittal of Alternative Site Layout #2 - Engineering Figure with SunCatcher Layout, and Revised Project Boundary with 4000' Desert Tortoise Corridor Figure. Dated June 2, 2010. Posted June 7, 2010. (PDF file, 7 pages, 2.30 MB)

Applicant's Submittal of Determination Regarding the Requirement for the Department of the Army Permit Dated May 6, 2010. Posted May 24, 2010. (PDF file, 4 pages, 156 kb)

Applicant's Submittal of Additional Information Dated May 4, 2010. Posted May 24, 2010. (PDF file, 8 pages, 2.8 MB)

Applicant's Submittal of Suggested Revised Biological Resources Conditions of Certification Posted April 29, 2010. (PDF file, 61 pages, 416 kb)

Letter Regarding Applicant's Submittal of the Use of Rail to Deliver Cadiz Water Posted March 26, 2010. (PDF file, 3 pages, 541 kb)

Applicant's Status Report #6 Posted March 15, 2010. (PDF file, 6 pages, 810 kb)

Applicant's Submittal of Existing Access Routes in the Project Vicinity & proposed Access Post Project Development Posted March 10, 2010. (PDF file, 5 pages, 1.5 MB)

Applicant's Revised Submittal of the Calico Solar Project Layout Figure Posted March 10, 2010. (PDF file, 4 pages, 1.5 MB)

Applicant's Submittal of the Calico Solar Drainage Layout Figure Posted February 26, 2010. (PDF file, 4 pages, 824 kb)

Applicant's Construction Milestone Schedule and Project Layout Figure Posted February 17, 2010. (PDF file, 5 pages, 428 kb)

Applicant's Drainage Layout figure Posted February 17, 2010. (PDF file, 4 pages, 736 kb)

Applicant's Status Report No. 5 Posted February 17, 2010. (PDF file, 4 pages, 380 kb)

Applicant's Supplemental Analysis for the Application for Certification Posted February 8, 2010. (PDF file, 268 pages, 5.8 MB)

Applicant's Responses to Actions Items from the January 5, 2010 Workshop Continuation Posted February 8, 2010. (PDF file, 106 pages, 4.1 MB)

Applicant's Final Decision/Determination Posted February 1, 2010. (PDF file, 29 pages, 2.9 MB)

Change of Project Name and Change in Applicant Name Posted January 28, 2010. (PDF file, 3 pages, 596 kb)

Applicant's Submittal of the Geotechnical Engineering Report Posted January 12, 2010. (PDF file, 145 pages, 11 MB)

Applicant's Submittal of the CAISO Reports Posted January 11, 2010. (PDF file, 91 pages, 7.3 MB)

Applicant's Updated Project Map Posted December 16, 2009. (PDF file, 6 pages, 1.8 MB)

Applicant's responses to CURE Data Request Set 4; Data Requests 378-402 Posted December 16, 2009. (PDF file, 154 pages, 29.6 MB)

Applicant's Responses to Data Requests Set 1, Part 1 and Set 2, Part 1 Data Requests 71-73,76-79,85, and 128-141.

Posted December 1, 2009. (PDF file, 78 pages, 14.5 MB)

Response to CURE Data Request Set 3, (276 - 380).

Posted November 16, 2009. (PDF file, 215 pages, 10.6 MB)

Response of Solar One and Solar Two to Joint Committee Request for Scheduling Information.

Posted November 10, 2009. (PDF file, 13 pages, 314 kb)

Applicant's Response to CEC & BLM Requests during the September 16th Workshop.

Posted October 19, 2009. (PDF file, 11 pages, 2 MB)

Applicant's Response to CEC and BLM, Data Request 81.

Posted September 3, 2009. (PDF file, 416 pages, 36 MB)

Applicant's Response to CEC and BLM, Data Requests, Set One, Parts 1 and 2: Data Requests 1-48, 81 and 109-112.

Posted September 3, 2009. (PDF file, 240 pages, 18 MB)

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Applicants Response to CURE's Data Requests, Set 2 Data Requests 229-275.

Posted August 25, 2009. (PDF file, 71 pages, 6 MB)

Applicant's Response to CEC and BLM, Data Requests, Set One, Part 2: Data Requests 113-127.

Posted August 25, 2009. (PDF file, 60 pages, 24.4 MB)

Applicant's Response to California Union for Reliable Energy, Data Request, Set One, 1 - 228.

Posted July 28, 2009. (PDF file, 183 pages, 4.98 MB)

Applicant's Response to Energy Commission and BLM Data Request 50 - Report to Map Federal and State Surface Waters.

Posted July 21, 2009. (PDF file, 42 pages, 2.8 MB)

Applicant's Response to Energy Commission and BLM Data Request 55 - Raven Monitoring and Control Plan.

Posted July 21, 2009. (PDF file, 35 pages, 3 MB)

Applicant's Responses to Energy Commission and BLM Data Requests Set 1, Part 1 - Data Requests 49-70, 74-45, 80, 82-84, and 86-91. Posted July 21, 2009. (PDF file, 44 pages, 5.2 MB)

Applicant's Request for Extension on Data Responses. Posted July 13, 2009. (PDF file, 3 pages, 144 kb)

Applicant's Presentation at Informational Hearing/BLM Scoping Meeting. Posted June 25, 2009. (PDF file, 21 pages, 6 MB)

Supplemental Information In Response to CEC Data Adequacy Requests, dated April 2009. posted April 6, 2009. (PDF file, 379 pages, 16.3MB Note Large File Size)

Application for Certification, Volumes 1 and 2, filed December 2, 2008.

(Adobe Acrobat PDF files. Please note that some files are VERY large. Right click the link to download them [option-click on a Macintosh].)

Intervenor's and Others' Documents

Burlington Northern Railway Company (BNSF) Comments on the Presiding Members Proposed Decision.

Dated October 25, 2010. Posted October 27, 2010. (PDF File, 414 pages, 19.5 mb)

Sierra Club Comments on the Presiding Members Proposed Decision. Dated October 20, 2010. Posted

October 27, 2010. (PDF File, 37 pages, 291 kb)

California Unions for Reliable Energy Initial Comments on the Presding Members Proposed Decision. Dated October 19, 2010. Posted October 27, 2010. (PDF File, 28 pages, 685 kb)

Sierra Club Exhibits #1021 to 1023. Dated October 14, 2010. Posted October 27, 2010. (PDF File, 39 pages, 973 kb)

Letter from The Sierra Club Regarding Tortoise Habitat on Project Site. Dated September 14, 2010. Posted September 15, 2010. (PDF File, 8 pages, 120 kb)

Letter from Patrick Jackson Regarding Applicant's Scenarios 5.5 and 6. Dated September 12, 2010. Posted September 15, 2010. (PDF File, 4 pages, 282 kb)

Letter from The Wildlands Conservancy to Commissioner Eggert. Dated September 13, 2010. Posted September 15, 2010. (PDF File, 17 pages, 1.6 megabytes)

Sierra Club Comments on the Final Environmental Impact Statement. Posted September 7, 2010. (PDF File, 20 pages, 227 kb)

Intervenor Patrick C. Jackson's Comments and Protests to the Final Environmental Impact Statement. Posted September 7, 2010. (PDF File, 20 pages, 227 kb)

BNSF Railway Comments on Final Environmental Impact Statement and Protests to Proposed Grant of Right-of Way. Posted September 7, 2010. (PDF File, 18 pages, 189 kb)

Intervenor Basin and Range Watch Exhibits 800 - 804. Posted September 1, 2010. (PDF File, 60 pages, 4.3 MB)

Exhibit 314 - Email Containing Comments of Tonya Moore of the Department of Fish and Game. Posted August 26, 2010. (PDF File, 2 pages, 73.8 kb)

Patrick Jackson Letter Requesting More Information. Posted August 24, 2010. (PDF File, 4 pages, 201 kb)

BNSF Data Request Letter. Posted August 24, 2010. (PDF File, 5 pages, 61 kb)

Fort Irwin Annual Report. Posted August 17, 2010. (PDF File, 14 pages, 460 kb)

Public Comment from Ira West Regarding Free Access to Private Land. Posted August 16, 2010. (PDF File, 1 pages, 37 kb)

Resolution for Calico Solar by Newberry Springs Chamber of Commerce. Posted August 11, 2010. (PDF File, 1 pages, 100 kb)

California Unions for Reliable Energy Exhibits 400 - 436, Revised Sequential Exhibit List + Revised topic Exhibit List. Posted August 2, 2010. (PDF File, 1074 pages, 46.6 mb, Please note that this complete file is **VERY large. Right click the link to download, [option-click on a Macintosh] or use the smaller portions below**)

Cover Sheet and Exhibit List. (PDF File, 10 pages, 502 kb)

Exhibits 400 - 403, Transmission, David Marcus. (PDF File, 23 pages, 413 kb)

Exhibits 405 - 412, Soil/Water, Boris Poff. (PDF File, 110 pages, 10.3 MB)

Exhibits 413 - 423, Biology, Vernon C. Bleich. (PDF File, 204 pages, 8.83 MB)

Exhibits 424 - 436, Biology, Scott Cashen. (PDF File, 645 pages, 27.6 MB)

Exhibits Appendix A - K, and Comment and Response. (PDF File, 83 pages, 2.36 MB)

California Unions for Reliable Energy Comments on SA/DEIS. Posted June 7, 2010. (PDF File, 44 pages, 744 kb)

San Bernardino County's Comments on SA/DEIS. Posted June 7, 2010. (PDF File, 3 pages, 110 kb)

Intervenor Patrick C. Jackson's Comments on SA/DEIS, Part 1. Posted June 8, 2010. (PDF File, 9 pages, 146 kb)

Intervenor Patrick C. Jackson's Comments on SA/DEIS, Part 2. Posted June 2, 2010. (PDF File, 10 pages, 132 kb)

Petition to Intervene by County of San Bernardino. Posted May 19, 2010. (PDF File, 6 pages, 216 kb)

Defenders of Wildlife Status Report #2. Posted March 26, 2010. (PDF File, 8 pages, 71 kb)

Patrick Jackson's Status Report #5. Posted March 15, 2010. (PDF File, 51 pages, 5.1 MB)

Letter from California Unions for Reliable Energy Regarding the Project Description of the Calico Solar Power Project. Posted March 15, 2010. (PDF File, 14 pages, 573 kb)

Joshua Basofin, Defenders of Wildlife Proposal for Site Reconfiguration Alternative. Posted March 9, 2010. (PDF File, 7 pages, 226 kb)

Intervenor Defenders of Wildlife Status Report # 1. Posted March 8, 2010. (PDF File, 6 pages, 226 kb)

Intervenor Patrick C. Jackson Status Report # 4. Posted February 17, 2010. (PDF File, 4 pages, 80 kb)

CURE's Status Report No. 5. Posted February 17, 2010. (PDF File, 10 pages, 516 kb)

Intervenor Patrick C. Jackson Status Report # 3. Posted February 8, 2010. (PDF File, 3 pages, 80 kb)

Intervenor Patrick C. Jackson Status Report # 2. Dated December 19, 2009. Posted February 8, 2010. (PDF File, 3 pages, 56 kb)

San Bernardino Comments on Traffic and Transportation. Posted January 28, 2010. (PDF File, 1 pages, 384 kb)

CURE's Status Report No. 4. Posted December 20, 2009. (PDF File, 8 pages, 480 kb)

CURE letter re CEQA Requirements for Study of Stirling Solar One Transmission Upgrades and Pisgah Substation Expansion. Posted December 16, 2009. (PDF File, 10 pages, 184 kb)

Data Request By Basin and Range Watch. Dated November 25, 2009. Posted: December 1, 2009. (PDF File, 6 pages, 208 kb)

CURE Combined Comments on Committee Scheduling and Integrating REAT Milestones for SES Solar One and Solar Two Projects. Posted: November 10, 2009. (PDF File, 11 pages, 127 kb)

CURE's Status Report No. 2. Posted: October 27, 2009. (PDF File, 5 pages, 80 kb)

Mojave Desert Air Quality Management District Preliminary Decision. Dated June 4, 2009. Posted September 10, 2009. (PDF File, 31 pages, 1.1 MB)

Comment from the Mojave Water Agency Regarding the SES Solar One's Water Usage. Posted: August 31, 2009. (PDF File, 3 pages, 188 kb)

CURE's Data Requests Set 1. Note: Data Requests 166-223 were not included in this filing. Posted: July 30, 2009. (PDF File, 44 pages, 404 kb)

U.S. Environmental Protection Agency Scoping Comments. Posted: July 21, 2009. (PDF File, 10 pages, 220 kb)

CURE's Scoping Comments on the SES Solar I Project. Posted: June 25, 2009. (PDF File, 12 pages, 2 MB)

Mojave Desert Air Quality Management District's Response to Request for Agency Participation. Dated: January 6, 2008. Online: January 12, 2008. (PDF File, 1 pg., 77.2 kb)

Figures and Maps

Overview Map, posted July 2, 2009 (PDF file, 1 pg, 348 kb).

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Last Modified: 11/04/10

Calico Solar – 08-AFC-13
DECLARATION OF SERVICE

I, Valerie Stevenson, declare that on November 11, 2010, I served and filed copies of the attached LETTER RE: FALSE NOTICE OF DECISION FOR CALICO SOLAR PROJECT, dated November 11, 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/calicosolar/CalicoSolar_POS.pdf. 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, hand delivered and emailed respectively to:

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. Executed at Sacramento, CA, on November 11, 2010

/s/

Valerie Stevenson

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