



June 15, 2010

Lorelei H. Oviatt  
Director – Kern County Planning and Community Development  
2700 "M" Street  
Bakersfield, CA 93301

**DOCKET**

**08-AFC-2**

DATE JUN 15 2010

RECD. JUN 16 2010

Re: Beacon Solar Energy Project – Offer of Contribution to Kern County

Ms. Oviatt,

Following up on the evidentiary hearings for the Beacon Solar Energy Project and our recent voicemail exchanges, Beacon Solar LLC (“Beacon”) has reconsidered its previous offers of contribution to Kern County for certain impacts to public services. Beacon is willing to agree to pay the impact fees based on the formula outlined in your letter to Mr. Eric Solario of the California Energy Commission dated May 27, 2010.

The fees proposed by Kern County for Countywide Public Protection, Sheriff Patrol and Investigation, and Fire Services for traditional industrial projects located in the Desert Zone are reflected in Figure 1 below and also identified within Kern County’s Draft Public Facilities Impact Fee Study written May 18, 2009:

Countywide Public Protection	-	\$167.84/1,000 Square Feet
Sheriff Patrol and Investigation	-	\$55.28/1,000 Square Feet
Fire	-	<u>\$356.78/1,000 Square Feet</u>
Total		\$579.90/1,000 Square Feet

Solar Thermal Impact Factor = 25%

Figure 1

Beacon’s Fees and Payment Schedule

By April 30 of each calendar year, Beacon will remit payment to the Kern County Auditor in an amount equal to 25% of the costs attributed to the public services shown in Figure 1 above, multiplied by the area of land directly underneath the installed Solar Collector Assemblies (SCAs) as of April of the same year. The annual fees and payment schedule for the Beacon project shall be calculated via the formula below.

Calculation Formula for Annual Payment

$[(\text{Public Protection} + \text{Sheriff} + \text{Fire}) * 0.25] * \text{covered acreage}/1,000 \text{ sq. ft.}] / 30 \text{ years}$

Example:  $[(\$167.84 + \$55.28 + \$356.78) * 0.25] * 53,404 \text{ (based on 1,226 acres)}] / 30 \text{ years} = \$258,074/\text{year}$

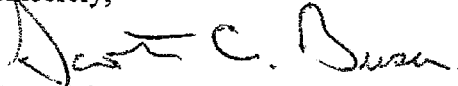
Additional Terms

The fee schedule pursuant to the formula determined above shall be fixed for the entire project life and no additional administrative charges from Kern County shall apply. If in the future Beacon is required by legislation to pay property taxes on the solar equipment which is currently exempt, this fee payment will be waived.

In addition, should future photovoltaic projects be approved and developed adjacent to the site, any fees required by Kern County for impacts to countywide public protection, sheriff patrol and investigation and fire services shall also be waived.

Attached to this letter is the suggested Condition of Certification for inclusion in the license granted to Beacon by the California Energy Commission. We would appreciate if you would bring this proposal and attached condition to the Kern County Board of Supervisors for consideration. Please give me a call at your earliest convenience if I have misrepresented our verbal agreement or to further discuss this proposal.

Sincerely,



Scott A Busa

Director

Beacon Solar, LLC

CC:

Eric Solario  
Kathleen Krause  
John Nilon  
Adel Klein  
Don Maben  
Jane Luckhardt  
Ryan O'Keefe  
Frank Chetalo  
Jill Toothman  
Mikel Greene

## **WORKER SAFETY-8**

The project owner shall make an annual payment to Kern County for the support of fire, sheriff and emergency services based upon the following fee schedule:

A. Twenty-five percent (25%) of the monetary factors (\$579.90 per 1,000 square feet) calculated in the Draft Public Facilities Fee Study (written May 18, 2009) associated with fire, sheriff patrol and investigation and countywide public protection services. A = \$144.90/1000 sq ft

B. The area of land (per 1,000 square feet) directly underneath the solar collector assemblies installed by April 30 of each calendar year.

C. 30-year Project Term

Calculation of the fee schedule shall be defined as follows:

$$A * B / C$$

The fee schedule shall remain fixed for the life of the project - the amount will not be adjusted per year for inflation nor will any administrative fee apply. If in the future BSEP is required by legislation to pay property taxes on the solar equipment which is currently exempt, this support payment will be eliminated.

**Verification:** During project construction the project owner shall provide to the CPM, documentation in the May monthly compliance report showing the total number of square feet directly underneath installed solar collector assemblies as of April 30. The calculation of the fee amount due is based upon the formula in WORKER SAFETY - 8 that has been paid to the Kern County Auditor-Controller for deposit in the identified account created to be used in the future for fire, sheriff and emergency services and countywide public protection. Payment shall be remitted to the Kern County Auditor-Controller by April 30 of each calendar year that the BSEP remains in operation – with the exception of changes in legislation as defined above. The project owner shall provide to the CPM a statement in the Annual Compliance Report that subsequent annual payments have been made.

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

**APPLICATION FOR CERTIFICATION FOR  
THE BEACON SOLAR ENERGY PROJECT**

DOCKET NO. 08-AFC-2

**PROOF OF SERVICE**  
(Revised 2/8/10)

<b><u>APPLICANT</u></b>	<b><u>COUNSEL FOR APPLICANT</u></b>	<b><u>ENERGY COMMISSION</u></b>
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<b><u>APPLICANT CONSULTANT</u></b>	<b><u>INTERESTED AGENCIES</u></b>	
<p>Sara Head, Vice President AECOM Environment 1220 Avenida Acaso Camarillo, CA 93012 <a href="mailto:Sara.head@aecom.com">Sara.head@aecom.com</a></p>	<p>California ISO <a href="mailto:e-recipient@caiso.com">e-recipient@caiso.com</a></p>	<p>Eric Solorio Project Manager <a href="mailto:esolorio@energy.state.ca.us">esolorio@energy.state.ca.us</a></p> <p>Jared Babula Staff Counsel <a href="mailto:jbabula@energy.state.ca.us">jbabula@energy.state.ca.us</a></p>
	<b><u>INTERVENORS</u></b>	
<p>Bill Pietrucha, Project Manager Jared Foster, P.E. Worley Parsons 2330 E. Bidwell, Suite 150 Folsom, CA 95630 <a href="mailto:Bill.Pietrucha@worleyparsons.com">Bill.Pietrucha@worleyparsons.com</a> <a href="mailto:Jared.Foster@worleyparsons.com">Jared.Foster@worleyparsons.com</a></p>	<p>Tanya A. Gulesserian Marc D. Jacobs Adams Broadwell Joseph &amp; Cardozo 601 Gateway Boulevard, Suite 1000 South San Francisco, CA 94080 <b>E-MAIL PREFERRED</b> <a href="mailto:tgulesserian@adamsbroadwell.com">tgulesserian@adamsbroadwell.com</a></p>	<p>Jennifer Jennings Public Adviser's Office <a href="mailto:publicadviser@energy.state.ca.us">publicadviser@energy.state.ca.us</a></p>

**Declaration of Service**

I, Lois Navarrot, declare that on June 16, 2010, I served and filed copies of the attached **BEACON SOLAR, LLC'S LETTER TO KERN COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT, DATED JUNE 15, 2010, REGARDING IMPACT FEES.** 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/beacon](http://www.energy.ca.gov/sitingcases/beacon). 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**

- 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 e-mailed respectively, to the address below (**preferred method**);

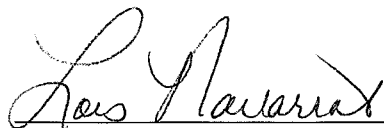
**OR**

\_\_\_\_\_ depositing in the mail an original and 12 paper copies as follow:

California Energy Commission  
Attn: Docket No. 08-AFC-2  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Lois Navarrot