



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

<b>DOCKET</b>	
<b>08-AFC-2</b>	
DATE	MAY 13 2010
RECD.	MAY 13 2010

**APPLICATION FOR CERTIFICATION FOR THE  
 BEACON SOLAR ENERGY PROJECT  
 BY BEACON SOLAR, LLC**

**DOCKET No. 08-AFC-2**

**NOTICE OF EVIDENTIARY HEARING AND ORDER IN RESPONSE TO  
 STAFF MOTION FOR LIMITED RE-OPENING OF THE RECORD**

**I. NOTICE**

The Committee assigned to the above-captioned proceeding will hold an evidentiary hearing to take place as follows:

**TUESDAY, JUNE 8, 2010  
 Beginning at 1:30 p.m.**

**California Energy Commission  
 First Floor Hearing Room B  
 1516 9<sup>th</sup> Street  
 Sacramento, California**

**TELECONFERENCE OPTION:** *You may participate in the evidentiary hearing by telephone and/or by computer via our "WebEx" web conferencing system. For details on how to participate, please see the "Participation through WebEx" section of this notice.*

**II. BACKGROUND**

The purpose of the hearing is for the Committee to take evidence limited to the environmental review of the expansion of the Rosamond Community Services District and California City water treatment facilities. The Committee will also take evidence on the questions raised by the Kern County Planning Department in its comments of March 22, 2010, regarding its request for development fees under its Capital Improvement Plan.

On May 3, 2010, Energy Commission Staff submitted a Motion to Reopen the Record [Motion] to admit information relevant to the environmental review of the expansion of the Rosamond Community Services District and California City water treatment facilities.

On May 11, 2010, Intervenor filed its response to Staff's Motion. CURE argues:

The FSA did not analyze Rosamond's wastewater treatment plant expansion and upgrade or California City's development of a sewer system and wastewater treatment plant upgrade as part of the Project or a 2.8-mile segment of the California City pipeline to deliver recycled water as part of the Project. The FSA also did not independently analyze the 17.6 mile pipeline segment and failed to conduct any surveys for protected plant or animal species along the 23 mile segment (as was required for every other project area). Finally, the FSA did not analyze either of the wastewater treatment plant expansions and upgrades as part of the cumulative impact analysis. The FSA is clearly inadequate. (CURE Motion p. 7.)

CURE also opposed Applicant's request to allow limited construction in 2010 so that the project can qualify for funding under the American Recovery and Reinvestment Act of 2009 ("ARRA").

The Committee will allow the evidentiary record to reopen for the limited purpose of hearing evidence on the environmental review of the expansion of the Rosamond Community Services District and California City water treatment facilities, to hear evidence on Kern County's request for development fees from the Beacon Solar Energy (BSEP) Project, and to hear evidence on the project's qualification for ARRA. The Committee finds that reopening the record is necessary to complete the record on the BSEP Application for Certification.

### III. ORDER

The record will remain open for the limited purpose of receipt of evidence on the environmental review of the expansion of the Rosamond Community Services District and California City water treatment facilities, evidence on Kern County's request for development fees and evidence on the project's qualification for ARRA.

Any new testimony and any briefs that parties seek to submit must be filed and served electronically upon all other parties **no later than 3 p.m. Tuesday, June 1, 2010.**

#### Information

The Energy Commission's Public Adviser, is available to assist the public in participating in the application review process. Contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228 or e-mail: **[publicadviser@energy.state.ca.us]**.

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz at least five days in advance of the hearing at (916) 654-5146 or e-mail: **[lquiroz@energy.state.ca.us]**.

Questions of a legal or procedural nature should be directed to Kenneth Celli, the Hearing Officer, at (916) 651-8893 or e-mail: **[kcelli@energy.state.ca.us]**.

Technical questions concerning the project should be addressed to Eric Solorio, Staff Project Manager, at (916) 651-0966, or e-mail: **[esolorio@energy.state.ca.us]**.

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail: **[mediaoffice@energy.state.ca.us]**.

Information concerning the status of the project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet web page at: **[www.energy.ca.gov/sitingcases/beacon]**.

Dated: May 13, 2010, at Sacramento, California

*Original signed by*  
\_\_\_\_\_  
KAREN DOUGLAS  
Chairman and Presiding Member  
Beacon Solar Project Committee

*Original signed by:*  
\_\_\_\_\_  
JEFFREY D. BYRON  
Commissioner and Associate Member  
Beacon Solar Project Committee

Mailed to: POS, 7285, 7286, 7287, 7288

**TELECONFERENCE OPTION:** You may participate in the Evidentiary Hearing by telephone and/or by computer via our "WebEx" web conferencing system. For details on how to participate, please see the "Participation through WebEx" directions below.

**PARTICIPATION IN THE EVIDENTIARY HEARING THROUGH WEBEX  
THE ENERGY COMMISSION'S ON-LINE MEETING SERVICE**

**1. COMPUTER LOG-ON WITH A DIRECT PHONE NUMBER:**

- Please go to <https://energy.webex.com> and enter the **meeting number** unique to the specific hearing date:

➤ 6/8/10 - meeting number: **929 730 242**

- When prompted, enter your information and the **meeting password:** **beacon#2**

After you login, a prompt will appear on-screen for you to provide **your** phone number. In the **Number box**, type your area code and phone number and click OK. **You will receive a call back on your phone for the audio of the meeting.** International callers can use the "Country/Region" button to help make their connection.

**2. COMPUTER LOG-ON FOR CALLERS WITH AN EXTENSION PHONE NUMBER, ETC:**

- Please go to <https://energy.webex.com> and enter the **unique meeting number:**

- 6/8/10 - meeting number: **929 730 242**

- When prompted, enter your information and the **meeting password:** **beacon#2**

*After you login, a prompt will ask for your phone number. Click "CANCEL."*

- **Instead** call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login.

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**3. TELEPHONE ONLY (NO COMPUTER ACCESS):**

- Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the **meeting number:**

- 6/8/10 - meeting number: **929 730 242**

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. To see if your computer is compatible, visit [<http://support.webex.com/support/system-requirements.html>].

Please be aware that the meeting's WebEx audio and on-screen activity may be recorded.



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COMMISSION OF THE STATE OF CALIFORNIA  
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APPLICATION FOR CERTIFICATION  
For the *BEACON SOLAR ENERGY  
PROJECT*

Docket No. 08-AFC-2

PROOF OF SERVICE

(Revised 2/8/10)

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\*indicates change

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**INTERESTED AGENCIES**

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

**INTERVENORS**

Californian Unions for Reliable  
Energy (CURE)  
Tanya A. Gulesserian  
Marc D. Joseph  
Adams Broadwell  
Joseph & Cardozo  
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South San Francisco, CA 94080  
e-mail service preferred  
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**ENERGY COMMISSION**

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

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Jennifer Jennings  
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[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, Maggie Read, declare that on May 13, 2010, I mailed hard copies of the attached Notice of Evidentiary Hearing and Order in Response to Staff Motion for Limited Re-opening of the Record, dated May 13, 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:

[\[http://www.energy.ca.gov/sitingcases/beacon/index.html\]](http://www.energy.ca.gov/sitingcases/beacon/index.html).

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-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, 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.

*Original signed by:* \_\_\_\_\_

Maggie Read

Hearing Adviser's Office