



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](http://WWW.ENERGY.CA.GOV)

<b>DOCKET</b> 08-AFC-3	
DATE	DEC 31 2008
RECD.	DEC 31 2008

APPLICATION FOR CERTIFICATION FOR THE  
**MARSH LANDING GENERATING STATION**  
**PROJECT**

DOCKET No. 08-AFC-3

### COMMITTEE SCHEDULING ORDER

On September 24, 2008, the Application for Certification (AFC) was deemed data adequate for the twelve-month review process prescribed in Public Resources Code, section 25540.6. The Committee conducted a public Informational Hearing on December 18, 2008, to discuss the schedule and other issues of concern. The attached Committee Schedule is based upon Staff's proposed schedule and the related discussion at the Informational Hearing.

The Committee Schedule contains a list of events that must occur to complete the certification process in twelve months. Dates are provided for the period leading up to the Prehearing Conference, during which the balance of the schedule will be set.

Several milestones are dependent upon reviews to be conducted by federal, state, and local agencies, as well as the timely provision of additional information by the Applicant. A key agency review is the Bay Area Air Quality Management District's Determination of Compliance.

We may modify the schedule at any time upon either our own motion or that of a party. [Cal. Code Regs., tit. 20, § 1709.7(c).] The schedule includes periodic status reports to determine whether case development is progressing satisfactorily, and to bring potential schedule delays or other relevant matters to our attention.

Pursuant to California Code of Regulations, title 20, sections 1209 and 1209.5, the parties are directed, when they choose to file and serve documents by email, to create the electronic copies in a format which allows electronic searching of the text, such as a commonly used word processing file format or a ".pdf" (Portable Document Format) file. If using the ".pdf" format, the document shall be printed or otherwise saved to a ".pdf" file from the program rather than created by optically scanning a printed copy. For Microsoft Word formatted word processing files, the older ".doc" file format is preferred over the newer ".docx" format because older programs cannot read ".docx" files.

This directive does not apply to documents or attachments that are not generated under the control of the party or its agents or where it is otherwise infeasible to comply.

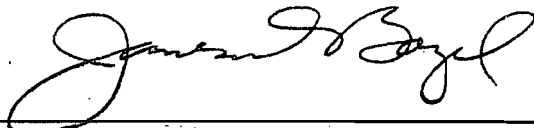
Signatures may be indicated on the electronic copy by "**Original Signed By**" or similar words. The original signed copy shall be filed with the Energy Commission's Dockets Unit.

Providing documents in this form will also allow persons with visual disabilities to more easily read them and make them easier to read on portable devices such as smart phones.

Our regulations (Cal. Code Regs., tit. 20, § 1210) require, in addition to any electronic service, that a paper copy be served in person or by first class mail except where a party requests to receive an electronic copy when one is available. Individuals and groups on the Proof of Service list who prefer to receive filings by email and **do not** require a paper copy shall inform the Hearing Officer. The Proof of Service list for this matter will delineate those individuals and groups and it is sufficient to serve those individuals with an emailed copy only. Those not so delineated **must** be served with a paper copy **in addition to** any emailed copy that the filing party chooses to provide.

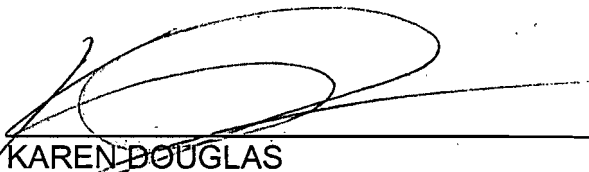
Questions about the above formatting and filing directives may be addressed to Paul Kramer, the Hearing Officer in this matter.

Dated December 31, 2008, at Sacramento, California.



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JAMES D. BOYD  
Vice Chair and Presiding Member  
Marsh Landing AFC Committee



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KAREN DOUGLAS  
Commissioner and Associate Member  
Marsh Landing AFC Committee

**COMMITTEE SCHEDULE  
FOR THE  
MARSH LANDING GENERATING STATION PROJECT**

<b>DATE</b>	<b>EVENT</b>
September 24, 2008	AFC Data Adequate;
December 18, 2008	Site Visit and Informational Hearing;
January 28, 2009	Local, State, and Federal Agency Draft Determinations, including Air District's Preliminary Determination of Compliance (PDOC) filed;
February 4, 2009 and every 8 weeks thereafter	Parties file Status Reports;
March 5, 2009	Staff files Preliminary Staff Assessment (PSA);
20 – 30 days after PSA filed	Staff conducts PSA Workshop;
March 30, 2009	Local, State, and Federal Agency Final Determinations, including Air District's Final Determination of Compliance (FDOC) filed;
April 30, 2009	Staff files Final Staff Assessment (FSA);
20 – 40 days after FSA filed <sup>1</sup>	Prehearing Conference;
Tbd	Evidentiary Hearings;
Tbd	Presiding Member's Proposed Decision (PMPD) issued for 30-day comment period;
Tbd (near the end of PMPD comment period)	PMPD Comment Hearing;
Tbd	Revised PMPD issued* for 15-day review period;*
Tbd	Energy Commission Decision Adoption Hearing.

Tbd = to be determined  
\* if necessary

<sup>1</sup> Events following issuance of the FSA will be scheduled as appropriate. Depending upon the complexity and number of unresolved issues, the Committee may, in its discretion, establish a more detailed schedule for exchange of testimony and evidence.





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**APPLICATION FOR CERTIFICATION  
FOR THE MARSH LANDING  
GENERATING STATION**

**Docket No. 08-AFC-3  
PROOF OF SERVICE**

*(Revised 12/31/2008)*

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**INTERESTED AGENCIES**

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**Declaration of Service**

I, Maggie Read, declare that on December 31, 2008, I served and filed copies of the attached Scheduling Order and new Proof of Service List as follows:

**(check all that apply)**

\_\_\_\_\_ by e-mail to the e-mail addresses set forth above.

by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to, or by personal delivery to, all those for whom mailing addresses are provided on the Proof of Service list above \_\_\_\_\_ except those marked "e-mail preferred"

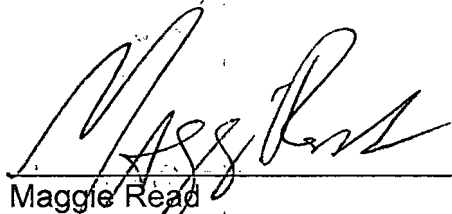
\_\_\_\_\_ by depositing in the mail as described above addressed to: **OR**

\_\_\_\_\_ by personal delivery to the Energy Commission Docket Unit at the following address:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 07-AFC-6  
1516 Ninth Street, MS-15  
Sacramento, CA 95814-5512

an original signed copy of the document(s) **AND**  
\_\_\_\_\_ twelve (12) additional copies mailed or delivered **OR**  
\_\_\_\_\_ one electronic copy of the document(s) e-mailed to:  
docket@energy.state.ca.us

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



\_\_\_\_\_  
Maggie Read  
Hearing Adviser's Office