



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
IMPERIAL VALLEY SOLAR PROJECT
(formerly known as SES Solar Two Project)
IMPERIAL VALLEY SOLAR, LLC

DOCKET No. 08-AFC-5

DOCKET
08-AFC-5

DATE	JUL 12 2010
RECD.	JUL 12 2010

COMMITTEE ORDER DENYING MOTION FOR REVISED SCHEDULE

Upon consideration of the Motion for a Revised Schedule filed by Petitioner, California Native Plant Society (CNPS), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On July 9, 2010, a Motion for a Revised Schedule in the above-captioned proceeding was filed by:

California Native Plant Society
Tom Beltran
P.O. Box 501671
San Diego, CA 92150
cnpsd@nyms.net

2. The Motion asks the Committee to revise the schedule in this matter because the Supplemental Staff Assessment (SSA) was filed on July 7, 2010, one day after the date called for in the June 30, 2010 schedule.
3. The Committee has since determined to extend the due dates for Opening Testimony and Rebuttal Testimony by one day to account for the one-day delay in filing the SSA.
4. Moving party CNPS claims that it will have less than one week to review the SSA and prepare its opening testimony. However, review of the SSA is not necessary in order to file opening testimony. In fact, the Schedule calls for opening testimony of all parties, including staff, to be filed on July 14. Opening testimony is each party's independent, affirmative testimony, and is not necessarily responsive to the testimony of other parties.
5. The Committee agrees with Intervenor CNPS that parties need time to review the opening testimony of the other parties in order to prepare rebuttal testimony. The schedule provides for two weeks from the date of publication of the SSA, which is ample time. Typical Energy Commission Scheduling Orders allow no more than two weeks for preparation of rebuttal, and frequently allow less time.

THEREFORE, the Committee **Orders** that the Motion of CNPS for a Revised Schedule in this matter be **DENIED**.

Dated: July 12, 2010 at Sacramento, California.

Original signed by:

JEFFREY D. BYRON
Commissioner and Presiding Member
Imperial Valley Solar AFC Committee

Original signed by:

ANTHONY EGGERT
Commissioner and Associate Member
Imperial Valley Solar AFC Committee



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**Docket No. 08-AFC-5
PROOF OF SERVICE**
(Revised 6/8/10)

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California Native Plant Society

*indicates change

DECLARATION OF SERVICE

I, Katherine Nicholls, declare that on July 12, 2010, I served and filed copies of the attached COMMITTEE ORDER DENYING MOTION FOR REVISED SCHEDULE, dated July 12, 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 [<http://www.energy.ca.gov/sitingcases/solartwo/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-5
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.

/s/
Katherine Nicholls
Hearing Adviser's Office