

DOCKET

08-AFC-9

State of California

The Resources Agency of California

Memorandum

DATE APR 13 2009

RECD. APR 13 2009

To: Commissioner Jeffrey Byron, Presiding Member
Commissioner Art Rosenfeld, Associate Member

Date : April 13, 2009
Telephone (916) 654-4640

From : **California Energy Commission – Felicia Miller**
1516 Ninth Street
Sacramento CA 95814-5512
Project Manager

Subject: **Palmdale Hybrid Power Project (08-AFC-9) STATUS Report 3**

Pursuant to the Committee Scheduling Order dated December 16, 2008, the following is staff's Status Report 3 for the proposed Palmdale Hybrid Power Project (PHPP).

Current Issues and Activities for Resolution

On April 1, 2009 staff filed Set 2 data requests in the areas of Air Quality, Alternatives, Biological Resources, Cultural Resources, Land Use, Traffic and Transportation, Transmission System Engineering, Visual Resources-Visual Plume, and Water Resources. Staff addressed the lack of information regarding the proposed project transmission corridor in Set 2 data requests. Written responses to these data requests are due to the Energy Commission on or before May 1, 2009.

A supplemental data request in the area of Traffic and Transportation was issued on April 9, 2009, with responses from the applicant due to the Energy Commission on or before May 9, 2009.

Staff and the applicant continued their discussions regarding Set 1 data requests 86 and 87 (Waste) and data requests 22-25 (Cultural Resources) which resulted in resolution of both issues to the satisfaction of both parties. Regarding waste, the applicant has proposed two conditions of certification that satisfactorily addressed staff's concerns about potential contamination issues along the transmission route. As a result, staff withdrew data requests 86 and 87. Staff resolved the cultural data request issue by providing significant clarification to the applicant and agreed to withdraw data requests 22-25 and submit new, modified data requests contained in Set 2.

Discovery and Analysis

Staff issued comments on the Antelope Valley Air Quality Management District's (AVAQMD) Preliminary Determination of Compliance on March 16, 2009. Staff requested AVAQMD provide additional comments in their Final Determination of Compliance regarding how the project would comply with the air district's Rules and Regulations pertaining to emission offset requirements.

On March 31, 2009 the applicant submitted an application for a Prevention of Significant Deterioration permit with the US Environmental Protection Agency to

PROOF OF SERVICE (REVISED 2/27/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 4/13/09

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**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 *PALMDALE HYBRID
POWER PROJECT***

**Docket No. 08-AFC-9

PROOF OF SERVICE
(Revised 2/27/2009)**

APPLICANT

Thomas M. Barnett
Executive Vice President
Inland Energy, Inc.
3501 Jamboree Road
South Tower, Suite 606
Newport Beach, CA 92660
tbarnett@inlandenergy.com

Antonio D. Penna Jr.
Vice President
Inland Energy
4390 Civic Drive
Victorville, CA 92392
tonypenna@inlandenergy.com

Laurie Lile
Assistant City Manager
City of Palmdale
38300 North Sierra Highway, Suite A
Palmdale, CA 93550
llile@cityofpalmdale.org

APPLICANT'S CONSULTANTS

Sara Head, Vice President
ENSR Corporation
1220 Avenida Acaso
Camarillo, CA 93012
SHead@ensr.acom.com

COUNSEL FOR APPLICANT

Michael J. Carroll
Marc Campopiano
Latham & Watkins, LLP
650 Town Center Drive, Ste. 2000
Costa Mesa, CA 92626
michael.carroll@lw.com
marc.campopiano@lw.com

INTERESTED AGENCIES

*Rick Buckingham
3310 El Camino Avenue, LL-90
State Water Project
Power & Risk Office
Sacramento, CA 95821
E-mail preferred
rbucking@water.ca.gov

*Manuel Alvarez
Robert J. Tucker
SoCal Edison
1201 K Street
Sacramento, CA 95814
Manuel.Alvarez@sce.com
Robert.Tucker@sce.com

California ISO
e-recipient@caiso.com

ENERGY COMMISSION

*JEFFREY D. BYRON
Commissioner and Presiding
Member
jbyron@energy.state.ca.us

ARTHUR H. ROSENFELD
Commissioner and Associate
Member
pflint@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

*Felicia Miller
Project Manager
fmiller@energy.state.ca.us

Caryn Holmes
Staff Counsel
cholmes@energy.state.ca.us

Elena Miller
Public Adviser
publicadviser@energy.state.ca.us

initiate consultation with US Fish and Wildlife regarding potential impacts to federally listed endangered species. No schedule for consultation results has been established.

Schedule

A recommendation addressing a revised schedule will be addressed after staff has had an opportunity to review the applicant's responses to the second round of data requests.

DECLARATION OF SERVICE

I, Hilarie Anderson, declare that on April 13, 2009, I served and filed copies of the attached Status Report #3. 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/palmdale/index.html>]. 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:

 x sent electronically to all email addresses on the Proof of Service list;

 x 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 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-9
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.

Original Signature in Dockets
Hilarie Anderson