



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

DOCKET

08-AFC-9

DATE JUL 23 2009

RECD JUL 23 2009

**APPLICATION FOR CERTIFICATION FOR THE
 PALMDALE HYBRID POWER PROJECT**

DOCKET No. 08-AFC-9

COMMITTEE SCHEDULING ORDER

On October 8, 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 4, 2008, to discuss the schedule and other issues of concern. A Committee Schedule was issued on December 16, 2008.

The Committee Schedule is out of date in that the date specified for publication of the Preliminary Staff Assessment (PSA)—March 16, 2009—has passed without its publication. On July 9, 2009, on the Applicant’s Motion, the Committee held a Committee Conference to discuss the progress of the AFC and revisions to the schedule. During the Conference, Commission Staff described the information it requires in order to finish the PSA, as well as the resource constraints affecting it. It appears that information remains to be provided in the topic areas Air Quality, Biological Resources, Soil and Water Resources, and Transmission Systems Engineering. A follow up workshop at which Staff and the Applicant can further discuss these issues, if necessary, is set for July 28, 2009.

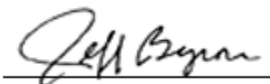
After consideration of the arguments and assertions of the parties, we issue the attached revised schedule. In light of the limitations upon the Staff—three mandatory furlough days each month and overtime prohibited—and the volume of applications before the Energy Commission, we will not set specific deadlines for the publication of the PSA. We have, however, adopted Staff’s statement that it can produce the PSA within six to eight weeks after the outstanding information discussed at the Conference is provided. Similar constraints affect the preparation of the Final Staff Assessment (FSA). We set the intervals between the remaining events by formulas to give the parties and public a general idea as to the likely progress of the case once the FSA is filed. The frequency of party status reports is increased to every four weeks to assist us in monitoring progress.

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.

The parties and other participants are reminded of the provisions of the December 16, 2008, *Scheduling Order* regarding the format of electronic documents and their ability to opt out of receiving a paper copy of documents which are served electronically. Those directives remain in effect.

Dated July 23, 2009, at Sacramento, California.

A handwritten signature in cursive script, reading "Jeff Byron", written over a horizontal line.

JEFFREY D. BYRON
Commissioner and Presiding Member
Palmdale AFC Committee

A handwritten signature in cursive script, reading "Art Rosenfeld", written over a horizontal line.

ARTHUR H. ROSENFELD
Commissioner and Associate Member
Palmdale AFC Committee

REVISED COMMITTEE SCHEDULE
FOR THE
PALMDALE HYBRID POWER PROJECT
(CEC DOCKET No. 08-AFC-9)

DATE	EVENT
October 8, 2008	AFC Data Adequate
December 4, 2008	Site Visit and Informational Hearing
February 4, 2009	Data Response and Issue Resolution Workshop
July 9, 2009	Committee Conference
July 28, 2009	Issues Resolution Workshop
August 5, 2009, and every 4 weeks thereafter until the Final Staff Assessment (FSA) is filed	Parties file Status Reports
6 – 8 weeks after all necessary information mentioned at the July 9, 2009 Committee Conference is received by Staff	Staff files Preliminary Staff Assessment (PSA)
15 – 20 days after PSA filed	Staff conducts PSA Workshop
20 days after PSA filed	Local, State, and Federal Agency final determinations, including Air District's Final Determination of Compliance (FDOC) filed
Tbd	Staff files FSA
2 weeks after FSA filed	Parties file opening testimony
3 weeks after FSA filed	Parties file rebuttal testimony
25 days after FSA filed	Prehearing Conference (PHC)
10 – 14 days after PHC	Evidentiary Hearings
6 – 8 weeks after Evidentiary Hearings Close	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 (30 days if significant environmental information added) review period*
Tbd	Energy Commission Decision Adoption Hearing

Tbd: to be determined
* if necessary

Issued: July 23, 2009