



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

**COMMITTEE ORDER REQUESTING
FURTHER COMMENT REGARDING SCHEDULE**

DOCKET

08-AFC-9

DATE OCT 05 2009

RECD OCT 05 2009

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, and a revised schedule, following a Committee Conference requested by the Applicant, issued on July 23, 2009.

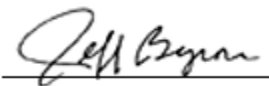
The revised schedule calls for the publication of a Preliminary Staff Assessment (PSA) "6 – 8 weeks after all necessary information mentioned at the July 9, 2009, Committee Conference is received by Staff." Staff and the Applicant disagree whether all the information was received as of July 31, 2009 (Applicant) or August 20, 2009 (Staff). Staff recently informed the Applicant that it intends to complete the PSA on November 16, 2009, 15 and 12 and a half weeks, respectively, after those dates.

On September 23, 2009, the Applicant petitioned the Committee for a Committee Conference to discuss the schedule and requested an order that the PSA be published by October 15, 2009. Staff responded, in its Status Report No. 6 on September 28, 2009, that "five additional Applications for Certification have been filed since the [Committee] Conference, each triggering a mandatory 45-day data adequacy review, further reducing available Staff resources."

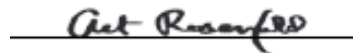
We are mindful of the limitations upon the Staff we cited in our July 23 Order and the additional workload presented by the new applications. In addition, we wonder if the Staff's time is best used in preparing a PSA or if it would be more efficient to wait until a single Staff Assessment (SA) can be prepared in lieu of a PSA and Final Staff Assessment (FSA). We also believe it would be helpful to the Applicant, Committee and the public to identify the issues that are unresolved and estimate the time necessary to resolve them. To that end, we direct the parties to comment on the following topics, in writing, no later than 12:00 noon on Monday, October 12, 2009:

- Whether it would be more efficient and effective for Staff to prepare a single Staff Assessment rather than the Preliminary and Final Assessments currently contemplated by the schedule.
- The issues that remain to be resolved, either during the time between publication of the PSA and FSA, or prior to the publication of the single SA. Also describe the information necessary to resolve the issues, whether a third party is involved, and how long it will take to do so.
- Any other information germane to the schedule.

Dated October 5, 2009, at Sacramento, California.



JEFFREY D. BYRON
Commissioner and Presiding Member
Palmdale AFC Committee



ARTHUR H. ROSENFELD
Commissioner and Associate Member
Palmdale AFC Committee



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For the *PALMDALE HYBRID*
POWER PROJECT

Docket No. 08-AFC-9

PROOF OF SERVICE

(Revised 10/01/2009)

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DECLARATION OF SERVICE

I, RoseMary Avalos, declare that on, October 5, 2009, I served and filed copies of the attached Committee Order Requesting Further Comment Regarding Schedule, dated October 5, 2009. 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:

X 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 Signed By:
RoseMary Avalos