



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	OCT 23 2009
RECD.	OCT 23 2009

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

DOCKET No. 08-AFC-9

REVISED 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 Site Visit and 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, was 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.”

On October 5, 2009, we asked the parties to address whether it would be more efficient for the Staff to produce a single Staff Assessment (SA) in lieu of Preliminary and Final Staff Assessments (FSA) and the issues remaining to be resolved prior to the publication of the FSA. Both parties responded, expressing a preference that the two assessments—PSA and FSA—be prepared. In addition, Staff described, in some detail, the issues that it believes are outstanding.

After consideration of the Parties’ responses, we issue the attached revised schedule. We include Staff’s November 16, 2009 date for the PSA’s publication. The publication of the FSA is set for 30 to 40 days following the receipt of all the necessary information, including the information described by Staff in its response to the Committee’s October 5, 2009 request and additional information that is subsequently identified.

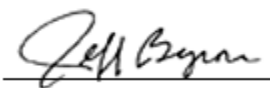
The Committee understands that the Energy Commission's finite resources are challenged by staffing constraints and a high volume of pending applications, including the five recently filed applications mentioned by Staff and a sixth filed on October 22. Those challenges may prevent the Staff from completing the PSA and FSA in the times we specify.

The intervals between the events following the publication of the FSA are shown in relative terms to give the parties and public a general idea as to the likely progress of the case once that milestone is reached. The frequency of party status reports remains at 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 October 23, 2009, at Sacramento, California.



JEFFREY D. BYRON
Commissioner and Presiding Member
Palmdale AFC Committee



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
November 16, 2009	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
30 – 40 days after all necessary information is received by Staff	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: October 23, 2009



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**APPLICATION FOR CERTIFICATION
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 23, 2009, I served and filed copies of the attached Revised Committee Scheduling Order dated October 23, 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:

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

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 Signed By:
RoseMary Avalos