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May 17, 2010

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DOCKET
08-AFC-9

DATE MAY 17 2010
RECD. MAY 17 2010

File No. 039610-0003

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-9
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

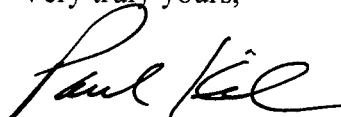
Re: City of Palmdale Hybrid Power Plant Project: Docket No. 08-AFC-9

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, Sections 1209, 1209.5, and 1210, enclosed herewith for filing please find Applicant's Status Report No. 12 for the Palmdale Hybrid Power Project.

Please note that the enclosed submittal was filed today via electronic mail to your attention and to all parties on the attached proof of service list.

Very truly yours,



Paul E. Kihm
Senior Paralegal

Enclosure

cc: 08-AFC-9 Proof of Service List (w/encl., via e-mail and U.S. Mail)
Michael J. Carroll, Esq. (w/encl.)

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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:) DOCKET NO. 08-AFC-9
)
APPLICATION FOR CERTIFICATION,) APPLICANT STATUS REPORT NO. 12
FOR THE PALMDALE HYBRID POWER)
PROJECT BY THE CITY OF PALMDALE)
)
_____)

On behalf of the City of Palmdale (“Applicant”) for the Palmdale Hybrid Power Plant Project (08-AFC-9) (“PHPP”) and pursuant to the Committee Schedule issued on October 23, 2009, we hereby submit this Status Report No. 12.

I. Applicant Has Addressed All Issues And Informational Requests Identified By Staff In PSA And PSA Workshops

Volume 1 of the PHPP Preliminary Staff Assessment (PSA) was issued on December 23, 2009 and Volume 2 was issued on February 9, 2010 by the California Energy Commission (CEC). A PSA Workshop was held to discuss the PSA (Volumes 1 and 2) on February 11, 2010 and another PSA Workshop focusing on Biological Resources was held on March 16, 2010.

Applicant has addressed all issues and informational requests identified by Staff in the PSA or during the PSA Workshops through submittals made on the following dates:

- February 8, 2010
- March 9, 2010
- March 20, 2010
- May 12, 2010

To help organize Applicant’s submittals, **Appendix A (PHPP Summary of Information Submittals in Response to the PSA)** provides a summary of Applicant’s PSA responses by environmental subject area. Most discrete issues are addressed in a single submittal, although a number of environmental subject areas are addressed in multiple submittals. Applicant made multiple submittals to provide Staff with the requested information as quickly as possible to facilitate preparation of the FSA.

II. Committee Schedule Establishes Timeline For Completing The Final Staff Assessment (FSA)

The PHPP Revised Committee Schedule (dated October 23, 2009) establishes a timeline for subsequent scheduling including an FSA publication date within 30-40 days after Staff receives information identified in the PSA. As of May 12, 2010, Applicant believes it has submitted information to address all outstanding issues identified in the PSA and PSA Workshops, which equates to an FSA publication date of no later than June 22, 2010, and the following remaining PHPP schedule:

REMAINING PHPP SCHEDULE

<i>Date</i>	<i>Event</i>
June 22, 2010	Staff files FSA (i.e., up to 40 days after Applicant provided information identified in PSA or PSA Workshops by May 11, 2010)
July 6, 2010	Parties file opening testimony
July 13, 2010	Parties file rebuttal testimony
July 17, 2010	Prehearing Conference (PHC)
August 2, 2010	Evidentiary Hearings (assuming 14 days after PHC)
September 13, 2010	Presiding Member's Proposed Decision (PMPD) issued for 30-day comment period (assuming 6 weeks after Evidentiary Hearings)
TBD	PMPD comment hearing
TBD	Revised PMPD issued for 15-day review period
TBD	Energy Commission Decision Adoption Hearing

Applicant looks forward to working with Staff to ensure the PHPP proceeds according to the Revised Committee Schedule.

DATED: May 17, 2010

Respectfully submitted,

/S/ MARC CAMPIOPIANO

Marc Campopiano
LATHAM & WATKINS LLP
Counsel to Applicant

Appendix A

PHPP Summary of Information Submittals in Response to the PSA				
	PSA Comment Submittal Letters			
	Feb 8	Mar 9	Mar 20	May 11
EXECUTIVE SUMMARY & PROJECT DESCRIPTION				
1. Acreage of the PHPP	✓			
2. Clarification of sanitary wastewater tie-in point		✓		
ALTERNATIVES				
1. Transmission line Segment 2	✓			
AIR QUALITY				
1. ERC Term Sheet* and Road Paving ERCs		✓		
2. AQ-SC-6 (construction hours limitation)		✓		
3. AQ-SC-9 and 10 (vapor control and efficiency)		✓		
4. AQ-SC-11, 14, & 15 (LDAR, leak inspections)		✓		
5. AQ-SC-16 (HTF volume)		✓		
6. AQ-SC-18 (ERC offset credits)		✓		
7. AQ-SC-19 (PM2.5 mitigation)		✓		
8. Timing of Conditions of Certification				
a. AQT-3 (Federal PSD & Acid Rain Permits)		✓		
b. AQT-9, -11, -16, AQEG-5, -7, AQFS-5, -7		✓		
9. Air Quality Impact Assessment (minor typographical discrepancies)				✓
10. New 1-hour NO ₂ Standard Impact Assessment				✓
BIOLOGICAL RESOURCES				
1. General Comments				
a. Timing of Rare Plant Surveys		✓		✓
b. Reference Site Visits		✓		
c. Use of Wildlife Biologists for Surveys		✓		
d. Vegetation Map Errors & Missing Species		✓		✓
e. Distinguishing Rare Species		✓		
f. Recordation of Species		✓		
g. Occurrence of Crowned Muilla		✓		
2. BIO-2, 3, 7, 8, & 13 (Desert tortoise handling)		✓		✓
3. BIO-8(16)/10(2) (DT handling/topsoil stockpile)		✓		✓
4. BIO-9 (compliance verification)		✓		
5. BIO-10 (impacts to native plant communities)		✓		✓
6. BIO-11 (special-status plant surveys)		✓		✓
7. BIO-12 and 13 (arroyo toad & DT fencing)		✓		
8. BIO-14 (Raven monitoring)		✓		✓
9. BIO-15 (migratory birds)		✓		
10. BIO-16 and 17 (Swainson's hawk)		✓		✓
11. BIO-20 (Mohave Ground Squirrel Mitigation)		✓		✓
12. BIO-21 (Desert Kit Fox)		✓		✓
13. BIO-22 (Bats)		✓		✓
14. Confirmation of No Impact to Waters of the US				✓
15. Revised Vegetation Mapping				✓
CULTURAL RESOURCES				
1. Summary of Conclusions (Page 4.3-1)				
a. Land Treatment Unit		✓		
b. Earthen Berm		✓		
c. Additional Known Archaeological Sites**		✓		
d. Palmdale Ditch		✓	✓	
e. SP/UP Railroad Berm		✓	✓	

PHPP Summary of Information Submittals in Response to the PSA				
	PSA Comment Submittal Letters			
	Feb 8	Mar 9	Mar 20	May 11
GEOLOGY AND PALEONTOLOGY				
1. PAL-4 (worker training)	✓		✓	
HAZARDOUS MATERIALS				
1. HAZ-1 (HazMat list)	✓			
2. HAZ-9 (site security plan)	✓		✓	✓
LAND USE				
1. Transmission Line Consistency Determination			✓	✓
2. Entry Point of PHPP Natural Gas Pipeline			✓	
NOISE AND VIBRATION				
1. NOISE-3 (noise control program and plan)	✓			
2. NOISE-4 (noise control program and plan)	✓			
SOCIOECONOMIC RESOURCES				
1. Page 4.8-2 (typo comment)	✓			
2. Page 4.8-4 (typo comment)	✓			
TRAFFIC AND TRANSPORTATION				
1. Comments on Lancaster and Palmdale PHPP Traffic Issues				
a. Compliance w/Access, Circulation, & Parking			✓	
b. Intersection Lancaster 10 th St. East & Ave L			✓	
c. Potential Traffic Impacts in City of Lancaster			✓	
2. TRANS-1 (Traffic Control Plan)			✓	
3. PHPP Vertical Velocity Plume Hazard Potential			✓	
4. PHPP Cooling Tower Visible Plume Analysis			✓	
TRANSMISSION LINE SAFETY AND NUISANCE				
1. TLSN-4 (ROW clearance)	✓			
TRANSMISSION SYSTEM ENGINEERING				
1. Comments on need for ROW Study, Facility Study, CDWR Comments	✓		✓	
2. TSE-8 (facility output)	✓			
3. SCE Communication			✓	
4. LA County Parks & Recreation Trail Easement			✓	
VISUAL RESOURCES				
1. Visible Plume Simulation			✓	
2. Additional Simulations Pursuant to VIS-2(E)			✓	
3. Potential Impacts to Plant 42 from Plumes				✓
WASTE MANAGEMENT				
1. WASTE-5 (DTSC oversight)	✓			✓
2. WASTE-9 (LA County Recycling & Reuse)	✓			
3. WASTE-11 (no on-site LTU)	✓			
SOIL AND WATER RESOURCES				
1. SWPPP		✓	✓	
2. Source/Disposal of Hydrostatic Test Water		✓		
3. Additional Plant Screening Berm Details		✓	✓	✓
4. Transmission Line Route & Phase I Analysis		✓		
5. Recycled Water Supply Agreement		✓	✓	
6. Reclaimed Water Adjudication Letters				✓
WORKER SAFETY				
1. WORKER SAFETY-4 (Safety Monitor)	✓			
2. WORKER SAFETY-6 (Heat stress and BMPs)	✓			

* Confidential filing submitted separately on April 18, 2010

** Confidential filing submitted separately on March 16, 2010

**STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:)	Docket No. 08-AFC-9
)	
Application for Certification,)	PROOF OF SERVICE
for the CITY OF PALMDALE HYBRID)	
POWER PLANT PROJECT)	(Revised April 15, 2010)
)	
_____)	

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PALMDALE HYBRID POWER PROJECT
CEC Docket No. 08-AFC-09

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PALMDALE HYBRID POWER PROJECT
CEC Docket No. 08-AFC-09

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PALMDALE HYBRID POWER PROJECT
CEC Docket No. 08-AFC-09

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DECLARATION OF SERVICE

I, Paul Kihm, declare that on May 17, 2010, I served and filed copies of the attached:

APPLICANT'S STATUS REPORT NO. 12

to all parties identified on the Proof of Service List above in the following manner:

California Energy Commission Docket Unit

- Transmission via electronic mail and by depositing a copy with FedEx overnight mail delivery service at Costa Mesa, California, with delivery fees thereon fully prepaid and addressed to the following:

CALIFORNIA ENERGY COMMISSION

Attn: DOCKET NO. 08-AFC-09

1516 Ninth Street, MS-4

Sacramento, California 95814-5512


docket@energy.state.ca.us

For Service to All Other Parties

- Transmission via electronic mail to all email addresses on the Proof of Service list; and
- by depositing one paper copy with the United States Postal Service via first-class mail at Costa Mesa, California, with postage fees thereon fully prepaid and addressed as provided on the Proof of Service list to those addresses **NOT** marked "email preferred."

I further declare that transmission via electronic mail and U.S. Mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 17, 2010, at Costa Mesa, California.


Paul Kihm