



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 TESLA POWER PROJECT BY PG&E

DOCKET No. 01-AFC-21C

CERTIFIED 6/16/04

**NOTICE OF CONSIDERATION OF ADDITIONAL 30-DAY LICENSE EXTENSION
 and
 NOTICE OF NEW HEARING DATE ON COMMITTEE PROPOSED DECISION**

PLEASE TAKE NOTICE that at the September 9, 2009, business meeting, the Energy Commission will consider approving a 30-day extension to PG&E's current license extension, from September 15, 2009, to October 15, 2009.

PLEASE ALSO TAKE NOTICE that the Energy Commission has continued the hearing previously scheduled on September 9, 2009, to September 23, 2009, for consideration of the Siting Committee's Proposed Decision on PG&E's Petition for Extension of License to June 16, 2014.

DOCKET	
01-AFC-21C	
DATE	<u>8/28/2009</u>
RECD.	<u>8/28/2009</u>

WEDNESDAY, SEPTEMBER 9, 2009
 (consideration of 30-day extension)

WEDNESDAY, SEPTEMBER 23, 2009
 (consideration of Proposed Decision)

Beginning at 10 a.m.

**California Energy Commission
 1516 9th Street
 First Floor, Hearing Room A
 Sacramento, CA 95814
 (Map Attached)**

For information about attending this hearing remotely via the internet or telephone, please see the Remote Attendance section at the end of this Notice.

BACKGROUND

On June 16, 2004, the Energy Commission granted a construction and operation license for the Tesla Power Project (“Tesla”), a 1,120 megawatt gas-fired power plant proposed to be built in a rural area of eastern Alameda County, close to the western border of San Joaquin County.

The Energy Commission’s regulations state that “the deadline for the commencement of construction shall be five years after the effective date of the decision [that granted the license]. Prior to the deadline, the Applicant [project owner] may request, and the Energy Commission may order, an extension of the deadline for good cause.” (Cal. Code Regs., tit. 20, § 1720.3.) For Tesla, that deadline was **June 16, 2009**.

On April 24, 2009, Pacific Gas & Electric Company (“PG&E”), the current owner of the Tesla license, filed a petition seeking a five-year extension of the construction deadline to June 16, 2014. On June 3, 2009, the Energy Commission granted a 90-day extension from June 16, 2009, to September 15, 2009, and assigned the Siting Committee to conduct proceedings on whether “good cause” exists for the extension.

On July 20, 2009, the Siting Committee conducted an evidentiary hearing on PG&E’s petition and will issue a Proposed Decision shortly.

NOTICE OF COMMITTEE RECOMMENDATION FOR 30-DAY LICENSE EXTENSION AND NEW HEARING DATE

The Siting Committee previously gave notice that the Energy Commission would hold a hearing on September 9, 2009, to consider the Proposed Decision.

To allow time for the parties to review the Proposed Decision in advance of the hearing, the Siting Committee recommends that at the September 9, 2009 hearing, the Energy Commission: (1) postpone consideration of the Proposed Decision to September 23, 2009, and (2) extend the Tesla license from September 15, 2009, to October 15, 2009.

At both Energy Commission hearings, the parties may present legal argument and comments but no new evidence will be accepted. Written comments shall be filed and served on the proof of service list no later than September 8, 2009, for the September 9th hearing and no later than September 21, 2009, for the September 23rd hearing.

PUBLIC PARTICIPATION

Members of the public may participate at the Energy Commission’s hearings by providing oral or written comments. For information on how to participate, contact the Energy Commission’s Public Adviser’s Office at 1-916-654-4489 or 1-800-822-6228, or email at: publicadviser@energy.state.ca.us

ADDITIONAL INFORMATION

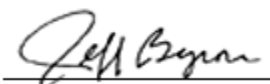
Questions of a legal or procedural nature should be directed to Gary Fay, the Hearing Officer, at 1-916-654-3893 or e-mail: gfay@energy.state.ca.us

Media inquiries should be directed to the Office of Media and Public Communications at 1-916-654-4989 or e-mail: mediaoffice@energy.state.ca.us

If you have a disability and need assistance to participate, please contact Lourdes Quiroz at 1-916-654-5146 or e-mail: lquiroz@energy.state.ca.us

Documents concerning PG&E's petition can be viewed on the Energy Commission's website at: www.energy.ca.gov/sitingcases/tesla/compliance

Dated August 28, 2009, at Sacramento, California.

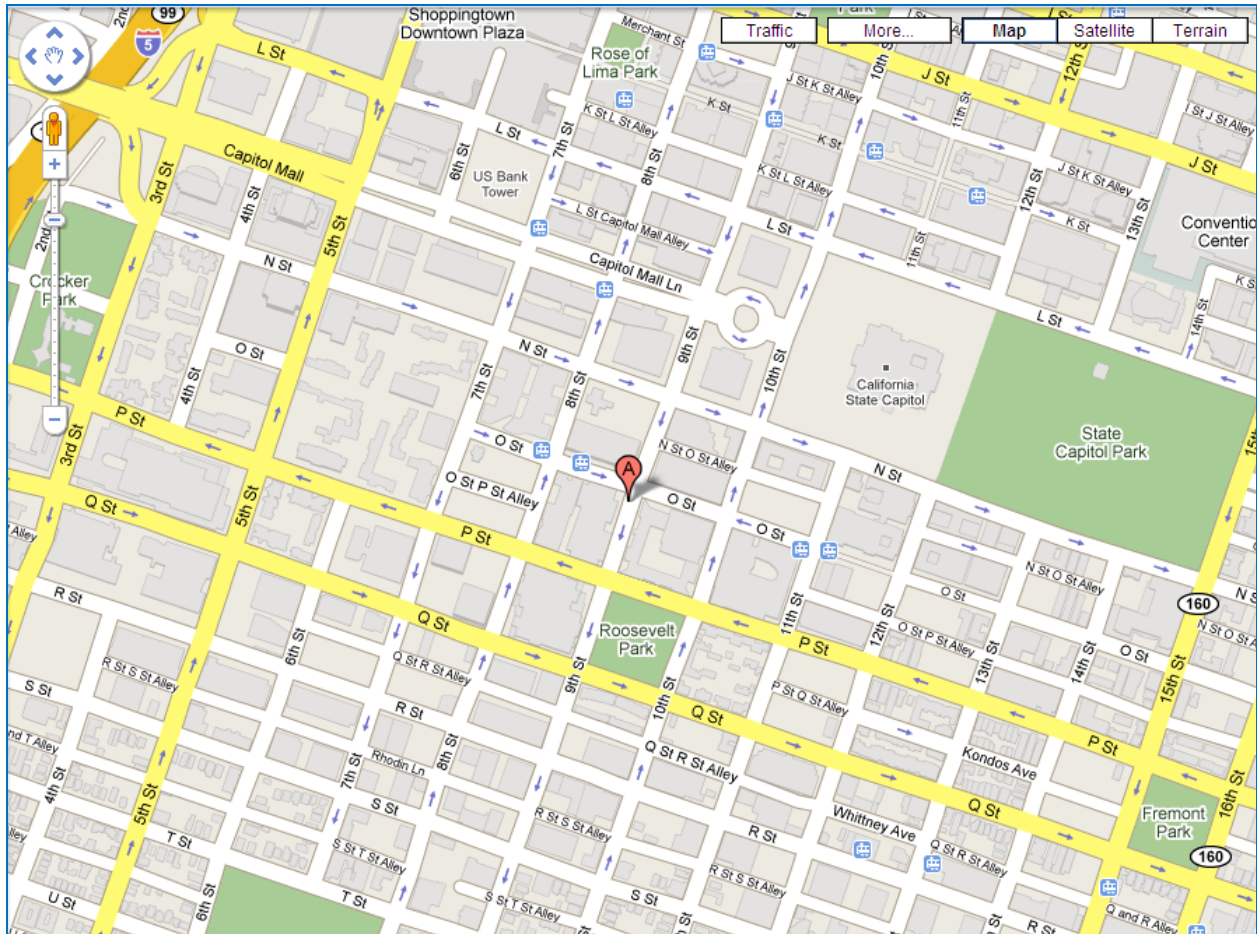


JEFFREY D. BYRON
Commissioner and Presiding Member
Siting Committee



KAREN DOUGLAS
Chairman and Associate Member
Siting Committee

MAP TO CALIFORNIA ENERGY COMMISSION



Tesla Power Project by PG&E

California Energy Commission
1516 9th Street
First Floor, Hearing Room A
Sacramento, CA 95814

**COMMISSION HEARING TO CONSIDER 30-DAY EXTENSION TO OCTOBER 15, 2009
WEDNESDAY, SEPTEMBER 9, 2009
Beginning at 10 a.m.**

**COMMISSION HEARING TO CONSIDER 5-YEAR EXTENSION TO JUNE 16, 2014
WEDNESDAY, SEPTEMBER 23, 2009
Beginning at 10 a.m.**

Mailed to Lists: POS, 7136

Participating by Telephone at a Business Meeting

If you want to participate by telephone, call toll free 1-888-823-5065 on the Business Meeting day after 10:01 a.m. (PDT). When asked, please answer "Business Meeting and Mr. Jerome Lee" and the operator will connect you to the meeting. Should you wish to speak on a specific item, please inform the operator and provide the item number.

Please note that while the Energy Commission affords members of the public the opportunity to participate by telephone, the Commission strongly encourages public comments to be made in person because there are occasional technical problems with the Commission's telephone link. The Commission will make every effort to avoid these problems; however, it is the responsibility of the person wishing to make a comment to ensure that such comment is received by the Commission.

If you intend to make comments by phone, the Commission recommends that a written comment also be submitted to the Docket Unit, 1516 9th Street, MS-4, Sacramento, CA 95814, or e-mail at: [**docket@energy.state.ca.us**](mailto:docket@energy.state.ca.us) and to the Chief Hearing Adviser, Gary Fay, at: [**gfay@energy.state.ca.us**](mailto:gfay@energy.state.ca.us)

The Business Meeting is also broadcast via **WebEx**, the Energy Commission's online meeting service. To listen to the meeting and view any presentations, please click the following link or paste it into your browser:

<https://energy.webex.com/energy/onstage/g.php?t=a&d=929346286>

You may also go to <https://energy.webex.com/ec> and enter:

Meeting Number : 920 356 655. Password: mtg@10am



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1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION
FOR THE *Tesla Power Project*

DOCKET No. 01-AFC-21C

PROOF OF SERVICE

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DECLARATION OF SERVICE

I, RoseMary Avalos, declare that on August 28, 2009, I served and filed copies of the attached Notice of Consideration of Additional 30-Day License Extension and Notice of New Hearing Date on Committee Proposed Decision, dated August 27, 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: [\[www.energy.ca.gov/sitingcases/tesla\]](http://www.energy.ca.gov/sitingcases/tesla).

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. 01-AFC-21C

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