

Memorandum

Date: May 6, 2010
Telephone: (916) 653-4677
File: 09-AFC-4

To: Commissioner James D. Boyd, Presiding Member
Commissioner Robert B. Weisenmiller, Associate Member
Paul Kramer, Hearing Officer

From: **California Energy Commission - Felicia Miller**
1516 Ninth Street
Sacramento, CA 95814-5512
Siting Project Manager

DOCKET	
09-AFC-4	
DATE	05/06/10
RECD.	05/06/10

Subject: **Oakley Generation Station Project (09-AFC-4)**
Project Status Report 2

Data Response and Issues Resolution Workshop

Staff held a Data Response and Issues Resolution Workshop on Friday, April 23rd at the Energy Commission. During this workshop, discussions of the applicant's data responses were held and supplemental information still needed by staff was identified in the areas of air quality, biological resources, transmission system engineering, and water resources.

Outstanding Supplemental Data Responses and Issues

Air Quality – Staff does not currently have all the information that is needed in order to complete its analysis. Staff is working with the applicant to revise the air modeling files to clarify contrasting data. The Bay Area Air Quality Management District has not completed work on the Preliminary Determination of Compliance but has stated to the applicant that they expect to complete this work by the first week of June, 2010.

Biological Resources –The applicant is continuing their analysis of the potential impacts of nitrogen deposition from the project to the Antioch Dunes National Wildlife Refuge. The applicant has indicated that an updated report to address staff's data request on this issue should be filed by mid-May, 2010.

Transmission System Engineering – Although a Phase I Study was provided to staff, there are some unresolved issues concerning the approximately 100 megawatt (MW) output difference between that study (520 MW) and the output proposed in the AFC (624 MW). The California ISO Phase 2 study is expected to be complete by the end of June 2010, and that study will include the full 634 MW output proposed. Staff cannot conclude the analysis without this information.

Soils and Water – Additional information is required for staff to complete its analysis. Staff is working with the applicant to incorporate effects from a potential large flood event into the drainage design and erosion prevention models.

Project Schedule

The Oakley Committee had issued a scheduling order for the project early in the process. Staff is now working towards the following suggested schedule. The unusually heavy workload in the Siting, Transmission and Environmental Protection Division, the Governor's Executive Order S-14-08 regarding renewable energy projects and the impact of furlough days on Energy Commission and other agencies' staff resources have delayed progress. Also, the American Recovery and Reinvestment Act (ARRA) renewable energy projects remain the Division's priority and will require a great deal of staff time in the upcoming months and will continue to impact staff's schedule.

	ACTIVITY	Original Date	Staff Proposed Date
1	Applicant files Application for Certification (AFC)	6/30/09	
2	Commission's determination that AFC is complete	9/23/09	
3	Staff files Issues Identification Report	10/26/09	
4	Staff files data requests 1, 1A	11/5/09	1/19/10, 2/17/10
5	Informational Hearing and Site Visit	11/9/09	
6	Applicant provides data responses	1/15/10	2/11/10, 3/9/10
7	Staff files data requests 1B	12/29/09	3/22/10
8	Data response and issue resolution workshop	12/21/09	4/23/10
9	Local, state and federal agency draft determinations AQMD files PDOC	12/30/09	6/15/10
10	Staff files Preliminary Staff Assessment (PSA)	2/19/10	7/20/10
11	PSA workshop	3/11/10	8/10/10
12	Local, state and federal agency final determinations AQMD files FDOC	3/19/10	8/23/10
13	Staff files Final Staff Assessment (FSA)	4/19/10	9/22/10
14	FSA workshop	4/26/10	9/29/10
15	Prehearing Conference*	TBD	
16	Evidentiary hearings*	TBD	
17	Presiding Members Proposed Decision (PMPD)*	TBD	
18	Committee Hearing on PMPD*	TBD	
19	Close of public comment period on PMPD	TBD	
20	Addendum/Revised PMPD	TBD	
21	Energy Commission Decision*	TBD	

*TBD = To Be Determined

Shaded items have been completed

cc: Proof of Service List
Docket 09-AFC-4



**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 *OAKLEY GENERATING STATION***

**Docket No. 09-AFC-4
PROOF OF SERVICE
(Revised 2/4/2010)**

APPLICANT

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DECLARATION OF SERVICE

I, Maria Santourdjian, declare that on May 6, 2010, I served and filed copies of the attached Status Report 2 for Oakley Generating Station Project (09-AFC-4). 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: [\[http://www.energy.ca.gov/sitingcases/contracosta/index.html\]](http://www.energy.ca.gov/sitingcases/contracosta/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. 09-AFC-4
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.

Originally Signed by
Maria Santourdjian