

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

APPLICATION FOR CERTIFICATION
FOR THE PALEN SOLAR POWER
PROJECT

DOCKET NO. 09-AFC-7

DOCKET
09-AFC-7

DATE AUG 30 2010

RECD. AUG 30 2010

**MOTION TO CONTINUE HEARING DATES AND
REQUEST TO MAINTAIN REASONABLE DEADLINES
INTERVEOR CENTER FOR BIOLOGICAL DIVERSITY**

August 30, 2010

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The most recent revised schedule for this matter issued on August 4, 2010, stated that the RSA would be issued on August 18, 2010 and that Opening Testimony would be due on September 1, 2010 and Rebuttal Testimony would be due September 13, 2010. No changes were made to the remaining schedule. The RSA was not issued on August 18, and has not yet been issued.

On August 30, 2010, notice was provided of a Status Conference on September 9, 2010, and on that same day the Hearing Advisor, Raoul A. Renaud, provided the following information via email to all parties on behalf of the Palen Solar Committee:

There has been a delay in publication of the Revised Staff Assessment. Accordingly, the September 1, 2010 date for opening testimony is canceled. The Committee will be issuing a revised schedule shortly. However, we still plan on holding Evidentiary Hearings October 11 and 12.

Unfortunately, Intervenor Center for Biological Diversity has an unavoidable conflict on October 12, 2010, due to a previously scheduled all-staff retreat beginning that date. In light of delays in the issuance of the RSA and the Center's staff scheduling

conflict, the Center respectfully requests that the Evidentiary Hearings be continued at least two weeks until October weeks until October 25 and 26, 2010.

Even if the Committee is not inclined to grant a continuance of the hearing date to accommodate the Intervenor Center for Biological Diversity's conflict, the Committee should consider continuing the Evidentiary Hearings in order to provide a reasonable time for the parties to prepare for the Evidentiary Hearings. A continuance would allow the Committee to maintain a reasonable schedule with sufficient time for all of the parties to submit testimony and prepare for the Evidentiary Hearings after the delayed issuance of the RSA. Accordingly, the Center respectfully requests that the parties be provided at least 2 weeks after the RSA is issued before Opening Testimony is due and an additional 2 weeks to provide Rebuttal Testimony, and that the Evidentiary Hearings should not begin until at least 4 weeks after the Rebuttal Testimony is due. Such a schedule would maintain the reasonable timeframes provided in the earlier revised schedule issued August 4, 2010.

Dated: August 30, 2010

Respectfully submitted,



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**APPLICATION FOR CERTIFICATION
FOR THE PALEN SOLAR POWER
PLANT PROJECT**

Docket No. 09-AFC-7

**PROOF OF SERVICE
(Revised 8/27/10)**

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DECLARATION OF SERVICE

I, Lisa T. Belenky, declare that on August 30, 2010, I served and filed copies of the attached MOTION TO CONTINUE HEARING DATES AND REQUEST TO MAINTAIN REASONABLE DEADLINES, dated August 30, 2010. 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:

[\[http://www.energy.ca.gov/sitingcases/solar_millennium_palen\]](http://www.energy.ca.gov/sitingcases/solar_millennium_palen)

The documents have 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;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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. 09-AFC-7
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, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.


