

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION

Application for Certification)
for the Palen Solar Power Project)
_____)

Docket No. 09-AFC-7

REVISED NOTICE OF HEARING ON PETITION FOR RECONSIDERATION
AND
OPPORTUNITY TO COMMENT

PLEASE TAKE NOTICE that the start time for the hearing on the Petition for Reconsideration filed in the Palen Solar Power Project (Docket No. 09-AFC-7, Order No. 10-1215-19 (Dec. 15, 2010) is revised to reflect the correct hearing time of 2:00 p.m. on Monday, February 14, 2011.

Notice of Hearing

On December 15, 2010, the Energy Commission approved the Application for Certification (“AFC”) for the Palen Solar Power Project. (Docket No. 09-AFC-7, Order No. 10-1215-19 (Dec. 15, 2010).) On January 14, 2011, Intervenor Center for Biological Diversity filed a Petition for Reconsideration (“Petition”) of that decision.

The Commission will hold a public hearing to consider whether to grant or deny the Petition at the following time and place:

Monday, February 14, 2011
Beginning at ~~10:00 a.m.~~ 2:00 p.m.

California Energy Commission
First Floor Hearing Room A
1516 Ninth Street
Sacramento, California 95814
(Wheelchair Accessible.)

Members of the public and parties to the Palen AFC proceeding may participate and offer oral and written comments at the hearing. The Commission also invites public, agency, and party written comments on the Petition in advance of the hearing.

Notice of Public Comment Period

Comments may be filed physically or electronically. The Energy Commission encourages the use of electronic filing. Documents may be filed electronically as an attachment to an e-mail directed to the Energy Commission's Dockets Office, set forth below. All documents filed electronically shall be in either Microsoft Word or Portable Document Format (PDF). Please include the name of the submitting entity or individual in document file name. **One paper copy must also** be sent to the Energy Commission's Docket Unit at:

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 07-AFC-5
1516 Ninth Street
Sacramento, CA 95814-5512

e-mail address: docket@energy.state.ca.us

In order to ensure that your comments are considered, **all comments must be received physically or electronically at the address above by noon on Wednesday, February 9, 2011.**

Pursuant to Section 1209 of the Commission's regulations, comments should include a title page with the title of the proceeding, the docket number, the nature of the material, and the name, address, and telephone number of the person submitting the comment. (Cal. Code Regs., tit. 20, § 1209, subd. (b).) All documents submitted physically (with no electronic copy), shall also submit twelve (12) copies with the original document to the Commission's Docket Unit. (*Id.*, § 1209, subd. (c).)

Pursuant to Section 1210 of the Commission's regulations, comments filed by parties to the AFC proceeding must include proof of service to the proceeding's service list, which may be accomplished by e-mail. (Cal. Code Regs., tit. 20, § 1210.)

Please note that mailed comments must be **physically delivered by February 9, 2011**; a February 9 postmark is insufficient.

Procedural Background

Section 1720 of the Commission's regulations allows any party in a power facility certification case to file a petition for reconsideration of a decision or order, within 30

days after a determination is final. (Cal. Code Regs., tit. 20, § 1720, subd. (a).) That section also lists the required contents of such petitions and specifies deadlines for Commission action thereon. (*Id.*, § 1720, subds. (b)-(c).) The Commission must grant or deny a petition for reconsideration within 30 days of its filing. (*Id.*, § 1720, subd. (b).) If the Commission denies the petition, then the original determination stands. If the Commission grants the petition, then it is required to hold a subsequent hearing (which may include the taking of evidence) within 90 days to consider whether to change the original determination (*Id.*, § 1720, subds. (b)-(c).)

Public Participation

For information on how to participate at the Commission hearing, contact the Commission Public Adviser's Office at 916-654-4489 or toll free at 1-800-822-6228 or by e-mail [pao@energy.state.ca.us]. If you have a disability and need assistance to participate, contact Lourdes Quiroz at 916-654-5416 at least five days prior to the hearing.

Questions of a legal or procedural nature should be directed to Raoul Renaud, the Hearing Officer, at 916-651-2020 or by e-mail [rrenaud@energy.state.ca.us].

Media inquiries should be directed to the Office of Media and Public Communications at 916-654-4989 or by e-mail [mediaoffice@energy.ca.gov].

Dated: ~~January 28~~ February 1, 2011



KAREN DOUGLAS
Chair



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 PALEN SOLAR POWER
 PLANT PROJECT**

Docket No. 09-AFC-7

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

APPLICANT

Alice Harron
 Senior Director of Project Development
 *1111 Broadway, 5th Floor
 Oakland, CA 94607
harron@solarmillenium.com

*Michael Cressner, Project
 Development & Permitting
 Solar Millennium, LLC
 1111 Broadway, 5th Floor
 Oakland, CA 94709
cressner@solarmillennium.com

Arrie Bachrach
 AECOM Project Manager
 1220 Avenida Acaso
 Camarillo, CA 93012
arrie.bachrach@aecom.com

Ram Ambatipudi
 Chevron Energy Solutions
 150 E. Colorado Blvd., Ste. 360
 Pasadena, CA 91105
rambatipudi@chevron.com

Co-COUNSEL

Scott Galati, Esq.
 Marie Mills
 Galati/Blek, LLP
 455 Capitol Mall, Suite 350
 Sacramento, CA 95814
sgalati@gb-llp.com
mmills@gb-llp.com

Co-COUNSEL

Peter Weiner, Matthew Sanders
 Paul, Hastings, Janofsky &
 Walker LLP
 55 2nd Street, Suite 2400-3441
 San Francisco, CA 94105
peterweiner@paulhastings.com
matthewsanders@paulhastings.com

INTERVENORS

California Unions for Reliable Energy
 (CURE)
 c/o Tanya A. Gulesserian,
 Marc D. Joseph
 Jason W. Holder
 Adams Broadwell Joseph & Cardozo
 601 Gateway Boulevard,
 Suite 1000
 South San Francisco, CA 94080
tgulesserian@adamsbroadwell.com
jholder@adamsbroadwell.com*

Michael E. Boyd, President
 Californians for Renewable Energy
 (CARE)
 5439 Soquel Drive
 Soquel, CA 95073-2659
michaelboyd@sbcglobal.net

Alfredo Figueroa
 Californians for Renewable Energy
 (CARE)
 424 North Carlton
 Blythe, CA 92225
lacunadeaztlan@aol.com

Basin and Range Watch
 Kevin Emmerich
 Laura Cunningham
 P.O. Box 153
 Baker, CA 92309
atomicoadranch@netzero.net

Lisa T. Belenky, Senior Attorney
 Center for Biological Diversity
 351 California St., Suite 600
 San Francisco, CA 94104
lbelenky@biologicaldiversity.org
 Ileene Anderson
 Public Lands Desert Director
 Center for Biological Diversity
 PMB 447, 8033 Sunset Boulevard
 Los Angeles, CA 90046
ianderson@biologicaldiversity.org

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Holly L. Roberts, Project Manager
 Bureau of Land Management
 Palm Springs-South Coast
 Field Office
 1201 Bird Center Drive
 Palm Springs, CA 92262
CAPSSolarBlythe@blm.gov

ENERGY COMMISSION

ROBERT WEISENMILLER
 Commissioner and Presiding Member
rweisenm@energy.state.ca.us

KAREN DOUGLAS
 Chairman and Associate Member
kldougl@energy.state.ca.us

Raoul Renaud
 Hearing Officer.
renaud@energy.state.ca.us

Alan Solomon
 Siting Project Manager.
asolomon@energy.state.ca.us

Lisa DeCarlo
 Staff Counsel
ldecarlo@energy.state.ca.us

Jennifer Jennings
 Public Adviser's Office
e-mail service preferred
publicadviser@energy.state.ca.us

*indicates change

DECLARATION OF SERVICE

I, **Chester Hong**, declare that on **February 1, 2011**, I served and filed copies of the attached, **REVISED NOTICE OF HEARING ON PETITION FOR RECONSIDERATION AND OPPORTUNITY TO COMMENT** dated **February 1, 2011 REPLACING THE ORIGINAL NOTICE DATED 1/28/11**. 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]

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**);

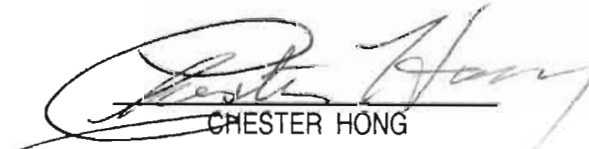
OR

- 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.


CHESTER HONG