

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000  
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660  
FAX: (650) 589-5062

tgulesserian@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350  
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201  
FAX: (916) 444-6209

DANIEL L. CARDOZO  
THOMAS A. ENSLOW  
TANYA A. GULESSERIAN  
JASON W. HOLDER  
MARC D. JOSEPH  
ELIZABETH KLEBANER  
RACHAEL E. KOSS  
LOULENA A. MILES  
ROBYN C. PURCHIA

FELLOW  
AARON G. EZROJ

OF COUNSEL  
THOMAS R. ADAMS  
ANN BROADWELL  
GLORIA D. SMITH

June 1, 2010

**DOCKET**  
**08-AFC-2**

DATE JUN 01 2010

RECD. JUN 01 2010

California Energy Commission  
Attn: Docket No. 08-AFC-2  
1516 Ninth Street, MS 4  
Sacramento, CA 95814-5512

Re: 08AFC2 Beacon Solar Energy Project

Dear Docket Clerk:

Enclosed are an original and one copy of: California Unions for Reliable Energy Brief on Limited Re-Opening of the Record Exhibit List. Please process this document and return a conformed copy in the envelope provided.

Thank you.

Sincerely,

/s/

Tanya A. Gulesserian

TAG:bh  
Enclosures

**STATE OF CALIFORNIA**  
**California Energy Commission**

In the Matter of:

The Application for Certification  
for the BEACON SOLAR ENERGY  
PROJECT

Docket No. 08-AFC-2

**CALIFORNIA UNIONS FOR RELIABLE ENERGY**  
**BRIEF ON LIMITED RE-OPENING OF THE RECORD**  
**EXHIBIT LIST**

640	May 13, 2010	Adams Broadwell Joseph & Cardozo Public Record Act Requests to California City and Rosamond
641	May 2010	California City and Rosamond Responses to Public Records Act Requests
642	March – May 2010	Abengoa Notices of 30-Day Public Comment Periods
643	2010	Kern County Planning Department Notices of Preparation of Draft EIRs for Solar Projects
644	March 8, 2010	Kern County Notice of Preparation of a Draft EIR for Ridge Rider Solar Park
645	March 8, 2010	Kern County Notice of Preparation of a Draft EIR for Cal City Solar and Barren Ridge Solar
646	May 28, 2010	Map of Solar Projects Near Beacon Project Site and Declaration of Matt Hagemann
647	October 6, 1999	Rosamond Letter to State Clearinghouse Regarding Negative Declaration for Wastewater Treatment Plan Expansion
648	May 2010	California Department of Fish and Game Documents in Response to Records Request – California City
649	January 9, 2006	Letter from W.E. Loudermilk, California Department of Fish and Game, to William Way, Jr., California City Regarding Species in California City
650	December 5, 2006	California City Notice of Intent and Availability of a Negative Declaration for Zone Change 174, General Plan Amendment 06-02 and Tentative Tract Map 6632
651	November 4, 2005	Biological Resource Assess, APN 212-010-28, California City

652	2009	US Fish and Wildlife Service. 2009. Preparing for any action that may occur within the range of the Mojave desert tortoise ( <i>Gopherus agassizii</i> )
653	1992	US Fish and Wildlife Service. 1992. Field survey protocol for any non-federal action that may occur within the range of the desert tortoise
654	2006	Boarman WI, WB Kristan. 2006. Evaluation of Evidence Supporting the Effectiveness of Desert Tortoise Recovery Actions. Scientific Investigations Report 2006-5143. US Geological Survey, Sacramento (CA)
655	2002	Boarman WI. 2002. Threats to Desert Tortoise Populations: A Critical Review of the Literature. U.S. Geological Survey, Western Ecological Research Center. Sacramento (CA)
656	1986	Schamberger ML, FB Turner. 1986. The application of habitat modeling to the desert tortoise ( <i>Gopherus agassizii</i> )
657	6/1994	Desert Tortoise (Mojave Population) Recovery Plan, U.S. Fish & Wildlife Service
658		Current Status of the Mohave Ground Squirrel, Philip Leitner
659	2004 6/2005	Home-Range Size and Use of Space by Adult Mohave Ground Squirrels, <i>Spermophilus Mohavensis</i> , John H. Harris and Philip Leitner, <i>Journal of Mammalogy</i> 2004; Long-Distance Movements of Juvenile Mohave Ground Squirrels, <i>Spermophilus Mohavensis</i> , John H. Harris and Philip Leitner, <i>the Southwestern Naturalist</i> , June 2005
660	1972	Hoyt DF. 1972. Mohave Ground Squirrel Survey. California Department of Fish and Game. Sacramento (CA): Special Wildlife Investigations Report
661	6/2/01	CNPS Botanical Survey Guidelines, California Native Plant Society
662	1999	Hailey J, and D Bainbridge. 1999. Desert Restoration: Do something or wait a thousand years? [abstract] Mojave Desert Science Symposium; 1999 Feb 25-27, Las Vegas. USGS, Western Ecological Research Center [internet]
663	May 2010	California Department of Fish and Game Documents in Response to Records Request – Rosamond
664	May 10, 2010	Kern County APCD Permits to Operate – California City and Rosamond Wastewater Treatment Facilities
665		Lahontan RWQCB Waste Discharge Requirements - California City and Rosamond Wastewater Treatment Facilities

666	January 15, 2010	Letter from Lorelei Oviatt, Kern County to Eric Solar, CEC, RE: Additional Kern County Planning Department Comments, Final Staff Assessment for the Proposed Beacon Solar Energy Project (08-AFC-2) Impacts on Public Services
-----	---------------------	---

# STATE OF CALIFORNIA

## Energy Resources Conservation and Development Commission

In the Matter of:

The Application for Certification for the  
BEACON SOLAR ENERGY PROJECT

Docket No. 08-AFC-2

### PROOF OF SERVICE

I, Bonnie Heeley, declare that on June 1, 2010 I served and filed copies of the attached **CALIFORNIA UNIONS FOR RELIABLE ENERGY BRIEF ON LIMITED RE-OPENING OF THE RECORD EXHIBIT LIST**. 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/beacon](http://www.energy.ca.gov/sitingcases/beacon). 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 via email and by U.S. Mail with first-class postage thereon, fully prepaid and addressed as provided on the Proof of Service list to those addresses NOT marked "email preferred." An original paper copy and one electronic copy, mailed and emailed respectively, was sent to the Docket Office.

I declare under penalty of perjury that the foregoing is true and correct. Executed at South San Francisco, CA on June 1, 2010.

\_\_\_\_\_/s/\_\_\_\_\_  
Bonnie Heeley

CALIFORNIA ENERGY COMMISSION  
ATTN DOCKET NO. 08AFC2  
1516 NINTH STREET MS4  
SACRAMENTO, CA 95814-5512  
docket@energy.state.ca.us

Kristy Chew  
Adviser to Commissioner Byron  
California Energy Commission  
1516 Ninth Street MS4  
Sacramento, CA 95814-5512  
Kchew@energy.state.ca.us

SARA HEAD, VICE PRESIDENT  
AECOM ENVIRONMENT  
1220 AVENIDA ACASO  
CAMARILLO, CA 93012  
Sara.head@aecom.com

BILL PIETRUCHA, PROJECT MGR  
JARED FOSTER, P.E., MECH. ENG.  
WORLEY PARSONS  
2330 E. BIDWELL ST SUITE 150  
FOLSOM, CA 95630  
[Bill.pietrucha@worleyparsons.com](mailto:Bill.pietrucha@worleyparsons.com)  
[Jared.foster@worleyparsons.com](mailto:Jared.foster@worleyparsons.com)

JANE LUCKHARDT  
DOWNEY BRAND ATTORNEYS LLP  
621 CAPITOL MALL 18<sup>TH</sup> FLR  
SACRAMENTO, CA 95814  
jluckhardt@downeybrand.com

KAREN DOUGLAS  
CALIFORNIA ENERGY  
COMMISSION  
1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
kidoug@energy.state.ca.us

JEFFREY D. BYRON  
CALIFORNIA ENERGY COMMISSION  
1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
jbyron@energy.state.ca.us

KENNETH CELLI  
CALIFORNIA ENERGY COMMISSION  
1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
kcelli@energy.state.ca.us

ERIC K. SOLORIO  
CALIFORNIA ENERGY  
COMMISSION  
1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
esolorio@energy.state.ca.us

JARED BABULA  
CALIFORNIA ENERGY COMMISSION  
1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
jbabula@energy.state.ca.us

Jennifer Jennings  
PUBLIC ADVISER'S OFFICE  
CALIFORNIA ENERGY COMMISSION  
1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
publicadviser@energy.state.ca.us

S. BUSA, K.STEIN, M.RUSSELL,  
D.MCCLOUD, G.NARVAEZ  
NEXTERA ENERGY RESOURCES LLC  
700 UNIVERSE BLVD  
JUNO BEACH, FL 33408  
[Scott.busa@nexteraenergy.com](mailto:Scott.busa@nexteraenergy.com)  
[Kenneth.stein@nexteraenergy.com](mailto:Kenneth.stein@nexteraenergy.com)  
[Meq.russell@nexteraenergy.com](mailto:Meq.russell@nexteraenergy.com)  
[Duane.mcccloud@nexteraenergy.com](mailto:Duane.mcccloud@nexteraenergy.com)  
[Guillermo.narvaez@nexteraenergy.com](mailto:Guillermo.narvaez@nexteraenergy.com)

DIANE FELLMAN  
DIRECTOR WEST REGION  
NEXTERA ENERGY RESOURCES  
234 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102  
[Diane.fellman@nexteraenergy.com](mailto:Diane.fellman@nexteraenergy.com)

California Unions for Reliable Energy  
T.Gulesserian/M.Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
Email only  
[tgulesserian@adamsbroadwell.com](mailto:tgulesserian@adamsbroadwell.com)

California ISO  
e-recipient.com  
Email only