

STATE OF CALIFORNIA  
Energy Resources Conservation  
and Development Commission

**DOCKET**

**08-AFC-12**

DATE May 20 2009

RECD. May 20 2009

Application for Certification for the San Joaquin )  
Solar 1 and 2 Hybrid Power Plant Project ) Docket No. 08-AFC-12  
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**APPLICANT'S STATUS REPORT NO. 1**

In accordance with the Committee Scheduling Order dated May 7, 2009, San Joaquin Solar 1 LLC and San Joaquin Solar 2 LLC, collectively referred to as San Joaquin Solar or "Applicant" submits its first status report in this proceeding. On November 26, 2008, San Joaquin Solar submitted an Application for Certification ("AFC") for the proposed San Joaquin Solar 1&2 hybrid power plant project. The AFC was determined to be data adequate on March 11, 2009.

This status report provides an update regarding progress toward completing responses to data requests issued by Commission Staff.

The Staff Issues Identification Report identified potentially significant issues in six areas: Air Quality, Land Use, Reliability, Transmission System Engineering, Waste Management and Water Resources. The Applicant will address each of these topics in its data responses and we will take the opportunity in next month's Status Report to address the status of each of these issue areas.

**Responses to Staff Data Requests**

The Staff's proposed schedule and the Committee Scheduling Order called for Staff to issue its first set of Data Requests on April 20, 2009. Staff issued its first set of data requests on April 30, 2009 (Data Requests 1-148).

The Scheduling Order calls for the Applicant to submit its response to the first set of Staff Data Requests by May 20, but this date assumed that the Data Requests would be issued on April 20. San Joaquin Solar has submitted responses to some of the requests on May 20, 2009 and will submit responses to a majority of the data requests on or before June 1, 2009.

San Joaquin Solar has also filed under separate cover, objections to two groupings of data Requests:

**Mobile source emissions.** Data Requests 8-13 pose questions regarding mobile source emissions associated with the transportation of biomass within the San Joaquin Valley. These requests do not request information that is readily available. Instead these requests ask the Applicant to undertake unprecedented and complex studies of the transportation patterns of trucks carrying biomass within the San Joaquin Valley and then to calculate the criteria pollutant and green house gas emissions that may be occurring from these vehicles, as well as emissions that may be currently attributable to the disposal or burning of biomass within the San Joaquin Valley. Data Request 24 asks the Applicant to propose a plan to mitigate mobile source emissions. The Applicant objects to Data Request 24 on the grounds that the project is not the cause of these emissions and that there is no precedent for requiring emissions from off-site mobile sources.

**Phase 1 ESA of Transmission Route.** Data Requests 143 and 144 do not ask the Applicant to provide data that is readily available. Instead, these requests ask the Applicant to prepare a detailed Phase 1 Environmental Site Assessment on approximately 25 different sites along the alternative 6-mile route of the proposed 230 kV transmission line.

As set forth in the objections filed under separate cover, the Applicant objects to each of these data requests on the grounds that (1) the information is not reasonably available to the Applicant and (2) the information is not necessary for the Commission to reach a decision in this proceeding. In addition, the data requests to which we object would require new, complex and time consuming studies that would substantially delay this proceeding and prevent timely issuance of a final Commission decision.

Finally, there are some data requests that will require additional time for a response. These responses are identified in a separate letter from the Applicant to the Staff dated May 20, 2009. We anticipate filing responses to these requests on or before July 15, 2009.

### **Conclusion**

San Joaquin Solar appreciates the opportunity to submit this status report. Except for a slight delay in issuance of the Staff's Data Requests and the Applicant's need for additional time to respond to a certain number of these requests, the project remains on track to meet the schedule set forth in the Committee Scheduling Order.

May 20, 2009

Respectfully submitted,

ELLISON, SCHNEIDER & HARRIS L.L.P.

By  \_\_\_\_\_

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Attorneys for San Joaquin Solar 1 and 2

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

In the Matter of:

Application for Certification for the San Joaquin  
Solar 1 and 2 Hybrid Power Plant Project

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Docket No. 08-AFC-12

**PROOF OF SERVICE**

I, Karen A. Mitchell, declare that on May 20, 2009 I served copies of the attached  
*Applicant's Status Report No. 1* by email and U.S. Mail to each party on the attached service list.

I declare under the penalty of perjury that the foregoing is true and correct.



Karen A. Mitchell



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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**APPLICATION FOR CERTIFICATION  
FOR THE *SAN JOAQUIN SOLAR UNITS 1 AND 2*  
*LICENSING PROJECT***

**Docket No. 08-AFC-12**

**PROOF OF SERVICE**

*(Revised 5/14/2009)*

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