

COMMITTEE MEETING  
BEFORE THE  
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the: )  
 )  
Application for Certification )  
for the Hidden Hills Solar )  
Electric Generating System )  
\_\_\_\_\_ )

Docket No.  
11-AFC-02

California Energy Commission  
**DOCKETED**  
**11-AFC-2**  
TN # 2921  
FEB 27 2013

CALIFORNIA ENERGY COMMISSION  
HEARING ROOM A  
1516 NINTH STREET  
SACRAMENTO, CALIFORNIA

MONDAY, FEBRUARY 25, 2013  
10:00 a.m.

Reported by:  
John Cota  
Contract No. 170-09-002

COMMITTEE MEMBERS PRESENT

Karen Douglas, Presiding Member

David Hochschild, Associate Member

HEARING OFFICER, ADVISORS PRESENT

Kenneth Celli, Hearing Officer

Jim Bartridge, Advisor to Commissioner Hochschild

Jennifer Nelson, Advisor to Commissioner Douglas

CEC STAFF PRESENT

Kerry Willis, Staff Counsel

Pippin Brehler, CEC Chief Counsel's Office

Susan Jimenez

OFFICE OF THE PUBLIC ADVISER

Blake Roberts, Assistant Public Adviser

APPLICANT

Jeff Harris, Attorney  
Ellison, Schneider and Harris, LLP

INTERVENORS

Cindy MacDonald (via WebEx)

David Schwartz (via WebEx)  
Southern Inyo Fire Protection District

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1 remain open. So people can listen to dead air for however  
2 long the closed session is going to be and then we will come  
3 back on strictly for the purpose of adjourning.

4 So I should say that, for the record, there are  
5 only three people on the line and that's appropriate since  
6 this is a closed session so, obviously, everybody got the  
7 word that we are just going into closed session today and  
8 then we would adjourn.

9 I want to acknowledge I see -- Cindy MacDonald,  
10 are you on the line?

11 MS. MacDONALD: Yes I am, thank you.

12 HEARING OFFICER CELLI: Good morning. I see that  
13 you are in so I'm glad you are here.

14 Today the closed session will be conducted in  
15 accordance with Government Code Section 11126, subdivision  
16 (c)(3), which allows a state body, including a delegated  
17 committee, to hold a closed session to deliberate on a  
18 decision to be reached in a proceeding that the state body  
19 was required by law to conduct. And we are doing this in  
20 preparation of tomorrow's prehearing conference.

21 So with that, I have already heard from Susan  
22 Jimenez and David Schwartz who are on the line and they wish  
23 to make no comment.

24 There is nobody here at the Energy Commission  
25 representing the public who would like to make a comment.

1 Ms. MacDonald, did you wish to make a comment?

2 MS. MacDONALD: Yes. The first thing I'd like is,  
3 because I guess I joined a little late, I thought it was at  
4 ten. But when you come back from the session will you  
5 announce the -- the decisions made because -- within in  
6 about the priority topics and the timing, et cetera?

7 HEARING OFFICER CELLI: No. What's going to  
8 happen is we are going to basically come back and adjourn.  
9 And the whole purpose of the meeting, Ms. MacDonald, is to  
10 talk about how we are going to proceed for the evidentiary  
11 hearings, and so it is really in preparation for tomorrow's  
12 hearing. So really the decisions are procedural in nature.

13 MS. MacDONALD: So tomorrow we will know what the  
14 Committee's decisions are at the prehearing conference, not  
15 after the closed session?

16 HEARING OFFICER CELLI: Right. And I think, to  
17 be --

18 MS. MacDONALD: Is that correct.

19 HEARING OFFICER CELLI: Yes. And I think to be  
20 fair, the Committee may or may not make some decisions but  
21 it is really up for discussion tomorrow because we need the  
22 input from the other parties in order to understand whether  
23 the way the Committee wants to go is going to actually work.

24 MS. MacDONALD: Okay. So -- all right. So  
25 there's no -- it's possible that no decisions will be made,

1 it's just a general idea of where you want to try to head it  
2 and get the evidentiary hearings to go. And then -- but it  
3 will also be contingent on what happens tomorrow with us.

4 HEARING OFFICER CELLI: Correct, that's correct.

5 MS. MacDONALD: Okay. Okay. I don't know if this  
6 is the appropriate place, I'm sure you'll tell me, but I was  
7 just informed shortly that the exhibits that we have  
8 offered, if they don't have a TNN number they cannot be  
9 entered in. I'm confused about this because in the exhibit  
10 list we were supposed to put Offered, Refused, Admitted, et  
11 cetera. And with respect to tomorrow's meeting, is that  
12 where exhibits are offered, refused and admitted? And if  
13 they don't have a TNN number when we show up tomorrow does  
14 it invalidate them?

15 HEARING OFFICER CELLI: Good question. No. The  
16 answer to your question is no and let me explain what that  
17 is. A TN number is a transaction number that's assigned by  
18 the Dockets. So whenever you docket your document you get a  
19 -- you see the little square Dockets stamp and it's got a  
20 date.

21 MS. MacDONALD: Yes.

22 HEARING OFFICER CELLI: And in there is a --

23 MS. MacDONALD: I'm aware of it.

24 HEARING OFFICER CELLI: Okay. And it also has a  
25 TN number. And that's how we are able to track --

1 MS. MacDONALD: Yes.

2 HEARING OFFICER CELLI: -- what you have given us.  
3 So we just need to get those TN numbers. And I need them  
4 before the evidentiary hearing, not before tomorrow.

5 MS. MacDONALD: Okay. I will do my best. I will  
6 begin to talk to the Dockets office. So we don't need them  
7 for tomorrow; that was the important point.

8 HEARING OFFICER CELLI: Right.

9 MS. MacDONALD: So I'll see what I can do with the  
10 Docket office. So there is nothing going on today and we  
11 will hear nothing today.

12 Is the -- one last thing, just because this is  
13 about the evidentiary hearings and how we will proceed. The  
14 last notice that we received mentioned the Shoshone  
15 hearings, the 12th through the 15th, but did not include the  
16 Sacramento hearings of the 18th and 19th.

17 HEARING OFFICER CELLI: That's correct.

18 MS. MacDONALD: Okay. What does -- does that mean  
19 anything?

20 HEARING OFFICER CELLI: No. One of the things we  
21 are going to be discussing is whether we are going to extend  
22 out those extra two days.

23 MS. MacDONALD: Okay.

24 HEARING OFFICER CELLI: So, if so, then what will  
25 happen, Ms. MacDonald, is I am going to have to issue a



1 notice to everyone regarding where and when those two days  
2 would be. But you're right, they'd be in Sacramento.

3 MS. MacDONALD: Okay, so the 18th, 19th dates are  
4 not set?

5 HEARING OFFICER CELLI: I have them on hold, if  
6 you will. I expect --

7 MS. MacDONALD: Okay.

8 HEARING OFFICER CELLI: -- that we are going to  
9 put out a notice, probably today or this week that says we  
10 are going to use those two days but I need the Committee to  
11 weigh in on that.

12 MS. MacDONALD: Okay.

13 HEARING OFFICER CELLI: Yes.

14 MS. MacDONALD: And we will know -- we will know  
15 that, you will issue a notice after the closed session  
16 adjourns or perhaps later in the week.

17 HEARING OFFICER CELLI: Right. And the fact is --

18 MS. MacDONALD: Am I correct?

19 HEARING OFFICER CELLI: Correct. And since we are  
20 going to be in Tecopa tomorrow I'm sure by then we'll know  
21 and we'll be able to inform people orally of what's going on  
22 when we're doing our prehearing conference.

23 MS. MacDONALD: Okay.

24 HEARING OFFICER CELLI: Okay? I --

25 MS. MacDONALD: All right. I think that's it.

1 But in the Committee's decisions and in their weighing that  
2 they recognize that some of the important issues that are  
3 facing us in this -- in this -- about this project and that  
4 they give people the time that they need to explain to the  
5 Committee these issues so that they can have the best  
6 informed decision-making possible.

7 HEARING OFFICER CELLI: Of course. Thank you.

8 MS. MacDONALD: I guess that's it.

9 HEARING OFFICER CELLI: Thank you very much for  
10 calling in.

11 MS. MacDONALD: Thank you very much.

12 HEARING OFFICER CELLI: I appreciate your  
13 participation.

14 I'd like the record to reflect that Kerry Willis,  
15 staff counsel, is here for staff.

16 The public adviser, Blake Edwards is here. Did I  
17 say Blake Edwards? I mean to say Blake Roberts. I watched  
18 the Oscars last night, I'm sorry. (Laughter).

19 I also want to acknowledge there is a Thomas --  
20 oh, he seems to have hung up on the phone. Oh, and Pippin  
21 Brehler is with the Energy Commission's Chief Counsel's  
22 office.

23 So that being the case I would open it up to  
24 public comment at this time. Mr. Roberts, is there anyone  
25 who wanted to make a public comment that you're aware of?

1 If you'd come forward and make a record on that.

2 MR. ROBERTS: There is nothing that I am aware of  
3 right now.

4 HEARING OFFICER CELLI: Thank you. And we heard  
5 from all of the people on the telephone.

6 So at this time we will now go into closed  
7 session. When the closed session is over we will come back  
8 and announce that the meeting is adjourned. Thank you.

9 (The Committee adjourned into  
10 closed session at 10:07 a.m.)

11 (The Committee reconvened from  
12 closed session at 12:04 p.m.)

13 HEARING OFFICER CELLI: We are back on the record.  
14 I'd like the record to reflect that the court reporter is  
15 here, Commissioner Hochschild is here, and there is nobody  
16 on the phone and nobody in the room. So with that,  
17 Commissioner Hochschild --

18 ASSOCIATE MEMBER HOCHSCHILD: We are adjourned.

19 HEARING OFFICER CELLI: Thank you.

20 The Committee Meeting was  
21 adjourned at 12:04 p.m.)

22 --oOo--

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## CERTIFICATE OF REPORTER

I, JOHN COTA, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Committee Meeting; that it was thereafter transcribed.

I further certify that I am not of counsel or attorney for any of the parties to said meeting or in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of February, 2013.

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JOHN COTA

## CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

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RAMONA COTA, CERT\*\*478

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February 26, 2013