

**DOCKET
93-AFC-2**

DATE: MAY 0 9 1994

RECD: MAY 0 9 1994

STATE OF CALIFORNIA

State Energy Resources
Conservation and Development Commission

In the Matter of:)	Docket No.: 93-AFC-2
)	
Application for Certification of)	EVIDENTIARY HEARING SCHEDULE
the Sacramento Cogeneration Authority's)	-and-
Procter & Gamble Cogeneration Project)	NOTICE OF PREHEARING
_____)	CONFERENCE

I. EVIDENTIARY HEARING SCHEDULE

A. BACKGROUND

On October 12, 1993, the Sacramento Cogeneration Authority submitted an Application for Certification for its proposed Procter and Gamble Cogeneration Project.¹

The California Energy Commission designated a Committee consisting of Commissioner Sharpless, Presiding, and Commissioner Kevorkian to conduct proceedings on the Application. On April 15, 1994, the Commission Staff published its Preliminary Staff Assessment (PSA) for the proposed project. The PSA is Staff's independent analysis of the environmental, structural, economic and health and safety impacts of the project. Copies of the PSA are available for public review at the Commission and at other locations in the Sacramento area. Several workshops are scheduled in May 1994 to discuss the PSA. Staff expects to issue its Final Staff Assessment (FSA) in early July, 1994.

B. EVIDENTIARY HEARING SCHEDULE

The Committee will consider the Application for Certification, the FSA and other relevant information concerning the proposed project at formal Evidentiary Hearings that will be held on July 19, 20 and 21, 1994. The times and locations for the Evidentiary Hearings will be announced in a Notice of Evidentiary Hearings to be issued after conclusion of the Prehearing Conference noticed below.

¹The proposed cogeneration project will be built on a 10-acre site adjacent to the existing Procter & Gamble facility located near the intersection of Power Inn and Fruitridge Roads in the city of Sacramento. The project consists of a natural gas-fired combined cycle powerplant with a nominal gross generating capacity of 171 MW. The project will produce electricity for transmission by the Sacramento Municipal Utility District (SMUD) and will supply process steam to the Procter & Gamble facility.

II. NOTICE OF PREHEARING CONFERENCE

The Committee will conduct a public Prehearing Conference on the Application for Certification as follows:

THURSDAY, JUNE 23, 1994
Beginning at 10:00 A.M.
California Energy Commission
First Floor Hearing Room A
1516 Ninth Street
Sacramento, California
[Wheelchair Accessible]

The Prehearing Conference is open to members of the public and interested governmental agencies. Those members of the public or governmental agencies who wish to participate in the Evidentiary Hearings should attend the Prehearing Conference and file a Prehearing Conference Statement as described below.

Any individual or entity who wishes to *intervene* as a formal party to this proceeding is advised to file a Petition to Intervene no later than **June 23, 1994**, the date of the Prehearing Conference. The Committee has the discretion to allow formal intervention after the date of the Prehearing Conference but such late intervention can result in substantial disadvantage to the preparation and presentation of the intervenor's position on the proposed project. (Title 20, California Code of Regulations [CCR] Section 1207).

For information on how to obtain copies of the Application for Certification, the PSA or the FSA and for information on how to intervene or otherwise participate in this proceeding, contact the Office of the Commission's Public Adviser at (916) 654-3893 or toll free, at (800) 822-6228.

III. PURPOSE OF THE PREHEARING CONFERENCE

The Prehearing Conference provides an opportunity for the parties to present their respective positions on issues relevant to the proposed project. The discussion will focus on procedural matters to identify issues in dispute and to establish a schedule for presentation of evidence at the Evidentiary Hearings. The Committee will not take substantive evidence at the Prehearing Conference.

The agenda for the Prehearing Conference will include the following items:

1. Identify individuals or entities who wish to participate in the evidentiary hearings;
2. Determine whether discovery of additional information is necessary in order to prepare for evidentiary hearings;
3. Identify issues for hearing and determine where disputes exist regarding issues of fact or law;
4. Identify witnesses who will testify at the evidentiary hearings and specify their qualifications to testify as expert witnesses;
5. Identify documentary and other evidence which will be offered as exhibits at the Evidentiary Hearings;
6. Determine the amount of time required to address each substantive topic area; and
7. Discuss scheduling considerations and any other relevant matters, including the schedule for release of the Air District's Final Determination of Compliance, the Department of Fish and Game's Biological Opinion and the Staff's Final Staff Assessment.

IV. PREHEARING CONFERENCE STATEMENTS

The parties are directed to file written Prehearing Conference Statements with the Committee by the close of business on **Thursday, June 16, 1994**. Members of the public and governmental agencies who wish to participate in the Prehearing Conference and Evidentiary Hearings must also file Prehearing Conference Statements by **June 16, 1994**. To fulfill this requirement, the original and twelve (12) copies of the Prehearing Conference Statement must be delivered to Docket No. 93-AFC-2, Energy Commission Docket Unit, MS-4, 1516 Ninth Street, Sacramento, CA 95814. The Statements must also be served on all other parties to the proceeding as reflected on the attached Proof of Service list.

The Office of the Commission's Public Adviser is available to provide assistance to members of the public in participating in the Prehearing Conference and in preparing the Prehearing Conference Statement. While the Public Adviser's Office cannot act as a party's attorney or representative on substantive matters, the Office does provide information and advice on how to participate in Commission proceedings. For assistance, please contact the Public Adviser's Office.

Each Prehearing Conference Statement shall contain the following information:

1. Identify the person who will represent the party or participant at the Evidentiary Hearings.
2. State whether the party or participant believes further information on a topic is necessary to prepare its presentation at the Hearings. If additional discovery is requested, describe the nature of the information sought, who is in possession of the information and why the additional information is necessary to the case.
3. State whether the party or participant disagrees with the assessment of any topic as set forth in the Preliminary Staff Assessment. If so, state the reasons for such disagreement and indicate whether the disagreement is based on a dispute over material facts or applicable law.
4. State whether the party or participant believes topics or issues that were not addressed in the Preliminary Staff Assessment should have been discussed; if so, describe the topic or issue and explain why it is relevant to the proposed project.
5. State whether the party or participant intends to present an independent witness on a specific topic area; if so, identify the witness, provide a summary of the witness's qualifications and an estimate of time required for testimony.
6. State whether the party or participant intends to offer documentary or other evidence as exhibits at the Evidentiary Hearings; if so, identify each potential exhibit.
7. State whether the party or participant intends to cross-examine another party's witness(es); if so, identify the witness(es) and provide an estimate of time for cross-examination of each witness.
8. Submit proposed schedule for testimony at the Evidentiary Hearings.
9. Provide any other information relevant to the party's participation in the balance of the proceeding.


Following the Prehearing Conference, the Committee will issue a Notice of Evidentiary Hearings and Hearing Order to announce times and locations for the Hearings, to indicate the order of appearance of witnesses and to address any other relevant matters raised at the Prehearing Conference.

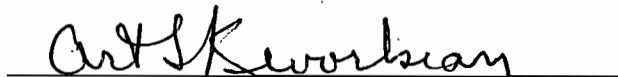
V. FURTHER INFORMATION

For further information or assistance on participating in the Prehearing Conference or Evidentiary Hearings, contact the Office of the Public Adviser at (916) 654-4489 or toll free, at (800) 822-6228. Questions concerning technical matters described in the Preliminary Staff Assessment should be directed to the Commission's Project Manager, Darrel Woo, at (916) 654-3930. For legal or procedural questions, contact the Hearing Officer, Susan Gefter, at (916) 654-3893.

Dated: 5/9/94

ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION


JANANNE SHARPLESS, Commissioner
and Presiding Committee Member


ART S. KEVORKIAN, P.E., Commissioner
and Committee Member

STATE OF CALIFORNIA

State Energy Resources Conservation
and Development Commission

In the Matter of:) Docket No.: 93-AFC-2
)
Application for Certification of)
the Sacramento Cogeneration Authority's) PROOF OF SERVICE
Procter & Gamble Cogeneration Project) (rev. 12/3/93)
)
_____)

PROOF OF SERVICE

I, Sandra Harris declare that on May 9, 1994, I deposited copies of the attached EVIDENTIARY HEARING SCHEDULE -and- NOTICE OF PREHEARING CONFERENCE in the United States mail in Sacramento, CA with first class postage thereon fully prepaid and addressed to the following:

APPLICANT

Ms. Susan Strachan, Manager
Projects Permitting & Licensing
SMUD
P.O. Box 15830
Sacramento, CA 95852-1830

Steve Cohn
General Counsel's Office
SMUD
P. O. Box 15830
Sacramento, CA 95852-1830

INTERESTED AGENCIES

Richard Johnson
Division Chief
Sacramento Metro AQMD
8411 Jackson Road
Sacramento, CA 95826

Ray Menebroker, Chief Project
Assessment Branch
Stationary Source Division
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95814

Ed Schnabel
Sacramento Metropolitan Water District
5331 Walnut Avenue
Sacramento, CA 95841

INTERESTED PARTY

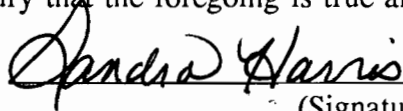
(none listed)

CALIFORNIA ENERGY COMMISSION

(Docket Unit - 12 copies required)

Docket Unit, MS-4
1516 Ninth Street
Sacramento, CA 95814

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



(Signature)

* * * * *

INTERNAL DISTRIBUTION LIST

Parties do not mail to the following individuals. The Energy Commission Docket Unit will internally distribute documents filed in this case to the following:

Jannane Sharpless
Commissioner and Presiding
Member
1516 Ninth Street, MS-33
Sacramento, CA 95814

Art Kevorkian
Commissioner and Committee
Member
1516 Ninth Street, MS-35
Sacramento, CA 95814

Susan Gefter
Hearing Officer
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Darrel "H" Woo
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Grace Bos
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1516 Ninth Street, MS-12
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* * * * *

REPORTER (Commission Notices only)

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