

DOCKETED

Docket Number:	09-AFC-09
Project Title:	Ridgecrest Solar Power Project
TN #:	201903
Document Title:	Staff Motion to Terminate, with Appendices A - D
Description:	N/A
Filer:	Chester Hong
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	3/21/2014 2:57:51 PM
Docketed Date:	3/21/2014

**STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

In the Matter of:

Docket No. 09-AFC-09

Application for Certification
For the Ridgecrest Solar Energy Project

**STAFF MOTION TO TERMINATE
THE APPLICATION FOR
CERTIFICATION**

I. INTRODUCTION

The Commission should terminate the Ridgecrest Solar Energy Project because there is no longer an Applicant. The Applicant, Solar Trust of America and its German parent company, Solar Millennium AG, filed for Bankruptcy and have been liquidated. In addition, the Bureau of Land Management terminated any rights to the project site over two years ago.

II. DISCUSSION

Under California Code of Regulations title 20 section 1720.2, any party may, based upon the applicant's failure to pursue an application with due diligence, file a motion to terminate the application proceeding. In this case there is no applicant. Appendix A contains caption pages from the United States Bankruptcy Court for the District of Delaware evidencing the 2012-2013 bankruptcy and liquidation of Solar Trust of America and its German parent company, Solar Millennium AG. Appendix B contains a statement from Solar Millennium AG website regarding its insolvency proceeding in Germany.

In addition to being no Applicant, there is no project site. Appendix C shows a summary of Bureau of Land Management activity related to the Applicant's right of way application for the project site. The documentation concludes with the right of way application being withdrawn on January 21, 2011, a refund being authorized on March 25, 2011 and the Bureau closing the application on March 29, 2011.

The last filing with the Commission from the Applicant occurred on February 16, 2012, in which the Applicant claimed that Solarhybrid AG was a buyer of "Solar Millennium's" interest in Solar Trust of America. (Appendix D) While it appears Solarhybrid AG, another German company, was planning on purchasing some interest from the German

parent Solar Millennium, AG, Solarhybrid AG declared bankruptcy in March 2012 and was liquidated in a German proceeding in June of 2012. (Appendix D)

III. CONCLUSION

Functionally the Ridgecrest Application for Certification was terminated in 2012 when the Applicant, Solar Trust of America filed for bankruptcy and was thereafter liquidated. Given the above discussion and the anticipation that this motion will be unopposed, the Commission should terminate the Ridgecrest Application for Certification 09-AFC-9.

March 21, 2014

Respectfully submitted,



Jared Babula, Senior Staff Counsel
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APPENDIX A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

<p>In re:</p> <p>SOLAR TRUST OF AMERICA, LLC, et al., a Delaware limited liability company,</p> <p style="text-align: center;">Debtors.¹</p>	<p>Chapter 11</p> <p>Case No. 12-11136 (KG)</p> <p>(Jointly Administered)</p> <p>Reference Docket Nos. 679, 686, 687, 727 and 867</p>
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**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER CONFIRMING THE
MODIFIED FIRST AMENDED CHAPTER 11 PLAN OF LIQUIDATION OF SOLAR
TRUST OF AMERICA, LLC, AND ITS AFFILIATED DEBTORS**

Upon consideration of the *Modified First Amended Chapter 11 Plan of Liquidation of Solar Trust of America, LLC, and Its Affiliated Debtors* (annexed hereto as Exhibit 1, and including all exhibits thereto and as amended, modified, and/or supplemented from time to time, the "Plan") proposed by the debtors and debtors in possession in the above-captioned cases (each, a "Debtor," and collectively, the "Debtors"); and the Debtors having filed the *Disclosure Statement with Respect to the Modified First Amended Chapter 11 Plan of Liquidation of Solar Trust of America, LLC, and Its Affiliated Debtors* [Docket No. 687] (including all exhibits thereto and as amended, modified, and/or supplemented from time to time, the "Disclosure Statement"); and the Bankruptcy Court, by Order dated October 23, 2012 [Docket No. 679] (the "Disclosure Statement Order"), having approved the Disclosure Statement as containing adequate information after notice and a hearing held on October 23, 2012; and upon the affidavit of service filed reflecting compliance with the notice and solicitation requirements of the

¹ The Debtors in these chapter 11 cases, and the last four digits of their employer tax identification number, are: Solar Trust of America, LLC (4430), STA Development, LLC (9964), STA Contracting, LLC (8039), Amargosa Valley Solar I, LLC (2615), Amargosa Valley Solar II, LLC (0481), Palo Verde Solar I, LLC (1503), Palo Verde Solar II, LLC (1587), Palen Solar I, LLC (1669), Palen Solar II, LLC (1728), CA Solar 10, LLC (1779), Solar Millennium, Inc. (9886), Ridgecrest Solar Power Project, LLC (2699), Ridgecrest Solar I, LLC (1825), and Ridgecrest Solar II, LLC (0397). The corporate headquarters address for the Debtors is 505 Montgomery Street, 11th Floor, San Francisco, California 94111.



Dated: Wilmington, Delaware
March 7, 2013



Kevin Gross
Chief United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

SOLAR TRUST OF AMERICA, LLC, et al.,
a Delaware limited liability company,

Debtors.¹

Chapter 11

Case No. 12-11136 (KG)

(Jointly Administered)

**MODIFIED FIRST AMENDED CHAPTER 11 PLAN OF LIQUIDATION OF SOLAR
TRUST OF AMERICA, LLC, AND ITS AFFILIATED DEBTORS**

Dated: Wilmington, Delaware
March 7, 2013

YOUNG CONAWAY STARGATT &
TAYLOR, LLP
Michael R. Nestor (No. 3526)
Matthew B. Lunn (No. 4119)
Justin H. Rucki (No. 5304)
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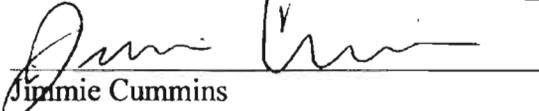
*Counsel for the Debtors and Debtors in
Possession*

¹ The Debtors in these chapter 11 cases, and the last four digits of their employer tax identification number, are: Solar Trust of America, LLC (4430), STA Development, LLC (9964), STA Contracting, LLC (8039), Amargosa Valley Solar I, LLC (2615), Amargosa Valley Solar II, LLC (0481), Palo Verde Solar I, LLC (1503), Palo Verde Solar II, LLC (1587), Palen Solar I, LLC (1669), Palen Solar II, LLC (1728), CA Solar 10, LLC (1779), Solar Millennium, Inc. (9886), Ridgecrest Solar Power Project, LLC (2699), Ridgecrest Solar I, LLC (1825), and Ridgecrest Solar II, LLC (0397). The corporate headquarters address for the Debtors is 505 Montgomery Street, 11th Floor, San Francisco, California 94111.

Dated: Wilmington, Delaware
March 7, 2013

Respectfully submitted,

SOLAR TRUST OF AMERICA, LLC, et al.

A handwritten signature in cursive script, appearing to read "Jimmie Cummins", is written over a horizontal line.

Jimmie Cummins
Executive Vice President, Chief Restructuring
Officer and Chief Financial Officer

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

SOLAR TRUST OF AMERICA, LLC, et al.,
a Delaware limited liability company,

Debtors.¹

Chapter 11

Case No. 12-11136 (KG)

(Jointly Administered)

Docket Ref. No. 852

In re:

SOLAR MILLENNIUM AG,

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 12-11722 (KG)

Docket Ref. No. 41

**OFFICIAL COMMITTEE OF UNSECURED
CREDITORS, on behalf of the estate of the Debtors,**

Plaintiff,

v.

**SOLAR MILLENNIUM AG, VOLKER BÖHM AS
INSOLVENCY ADMINISTRATOR OF SOLAR
MILLENNIUM AG, SOLAR MILLENNIUM
CAPITAL GMBH, and SMU USA 2 GMBH,**

Defendants.

Adv. Proc. No. 12-50979 (KG)

Docket Ref. No. 3

**ORDER APPROVING
STIPULATION BY AND AMONG THE U.S. DEBTORS, THE OFFICIAL
COMMITTEE OF UNSECURED CREDITORS, AND VOLKER BÖHM, AS
FOREIGN REPRESENTATIVE OF SOLAR MILLENNIUM AG,
REGARDING GLOBAL SETTLEMENT OF CLAIMS**

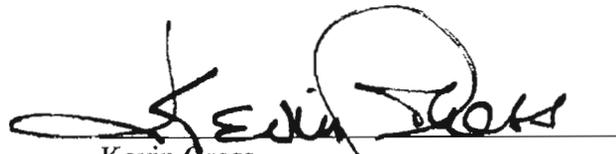
¹ The U.S. Debtors in these chapter 11 cases, and the last four digits of their employer tax identification number, are: Solar Trust of America, LLC (4430), STA Development, LLC (9964), STA Contracting, LLC (8039), Amargosa Valley Solar I, LLC (2615), Amargosa Valley Solar II, LLC (0481), Palo Verde Solar I, LLC (1503), Palo Verde Solar II, LLC (1587), Palen Solar I, LLC (1669), Palen Solar II, LLC (1728), CA Solar 10, LLC (1779), Solar Millennium, Inc. (9886), Ridgecrest Solar Power Project, LLC (2699), Ridgecrest Solar I, LLC (1825), and Ridgecrest Solar II, LLC (0397). The corporate headquarters address for the Debtors is 505 Montgomery Street, 11th Floor, San Francisco, California 94111.

ORDERED that this Order and the Settlement Agreement it approves shall be appended as an exhibit to and referenced in the Confirmation Order; and it is further

ORDERED that, notwithstanding any stays under Bankruptcy Rules 6004 and 6006 that may otherwise be applicable, this Order shall be effective upon its entry and the Parties are authorized to immediately take any and all actions necessary to carry out, effectuate or otherwise enforce the terms, conditions and provisions of the Settlement Agreement; and it is further

ORDERED that the Court shall retain jurisdiction over any and all matters arising from or related to the interpretation or implementation of the Settlement Agreement and this Order.

Dated: Wilmington, Delaware
March 7, 2013


Kevin Cross
Chief United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

SOLAR TRUST OF AMERICA, LLC, *et al.*,
a Delaware limited liability company,

Debtors.¹

Chapter 11

Case No. 12-11136 (KG)

(Jointly Administered)

**NOTICE OF: (I) ENTRY OF ORDER CONFIRMING CHAPTER 11 PLAN;
(II) OCCURRENCE OF EFFECTIVE DATE; AND (III) RELATED DEADLINES**

PLEASE TAKE NOTICE THAT:

1. On March 7, 2013, the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") entered an order (the "Confirmation Order") confirming the *Modified First Amended Chapter 11 Plan of Liquidation of Solar Trust of America, LLC, and Its Affiliated Debtors*, dated as of March 7, 2013 (as confirmed, the "Plan").² To receive a copy of the Confirmation Order and/or the Plan, you may (a) contact the Debtors' Claims and Voting Agent, Kurtzman Carson Consultants LLC, by calling (310) 823-9000, or (b) visit the Bankruptcy Court's website, www.deb.uscourts.gov. A PACER login and password are required to access documents on the Bankruptcy Court's website and these can be obtained through the PACER Service Center at www.pacer.psc.uscourts.gov. In addition, copies of these documents are on file with the Clerk of the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware, 19801 and are available for inspection during regular business hours, Monday through Friday 8:00 a.m. to 4:00 p.m., excluding federal holidays, at the office of the Clerk of the Bankruptcy Court.

2. On March 28, 2013, the "Effective Date" occurred with respect to the Plan.

3. Pursuant to Article 2.02 of the Plan and paragraph 22 of the Confirmation Order, all requests for payment of Administrative Expense Claims that accrued on or after April 2, 2013 (or April 10, 2013 with respect to Debtors Ridgecrest Solar Power Project, LLC, Ridgecrest Solar I, LLC and Ridgecrest Solar II, LLC) must be submitted to the Claims and Voting Agent and served on the Reorganized Debtors and their counsel, the Liquidation Trustee, and counsel to the Liquidation Trust so as to be received by no later than 5:00 p.m. (Pacific Time) on **April 29, 2013** (the "Administrative

¹ The Debtors in these chapter 11 cases, and the last four digits of their employer tax identification number, are: Solar Trust of America, LLC (4430), STA Development, LLC (9964), STA Contracting, LLC (8039), Amargosa Valley Solar I, LLC (2615), Amargosa Valley Solar II, LLC (0481), Palo Verde Solar I, LLC (1503), Palo Verde Solar II, LLC (1587), Palen Solar I, LLC (1669), Palen Solar II, LLC (1728), CA Solar 10, LLC (1779), Solar Millennium, Inc. (9886), Ridgecrest Solar Power Project, LLC (2699), Ridgecrest Solar I, LLC (1825), and Ridgecrest Solar II, LLC (0397). The corporate headquarters address for the Debtors is 505 Montgomery Street, 11th Floor, San Francisco, California 94111.

² Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Plan and/or the Confirmation Order.



Expense Claims Bar Date”), which date is thirty (30) days after this Notice is filed and served.³ Such requests for payment must include, at a minimum, (i) the name of the Debtor(s) that are purported to be liable for the Administrative Expense Claim; (ii) the name of the holder of the Administrative Expense Claim; (iii) the amount of the Administrative Expense Claim; (iv) the basis of the Administrative Expense Claim; and (v) all supporting documentation for the Administrative Expense Claim. Holders of Administrative Expense Claims that do not properly submit such requests by the Administrative Expense Claims Bar Date shall be forever barred from asserting such Administrative Expense Claims against the Debtors, the Reorganized Debtors, the Liquidation Trust, the Liquidation Trustee, the Estates, or any of their property. To the extent a party-in-interest wishes to file a late filed Administrative Expense Claim, such party in interest shall either obtain written consent from the Liquidation Trustee to file such Administrative Expense Claim late or obtain an order of the Bankruptcy Court permitting the Administrative Expense Claim to be late-filed. **FAILURE TO FILE AND SERVE SUCH REQUEST FOR PAYMENT OF AN ADMINISTRATIVE CLAIM TIMELY AND PROPERLY SHALL RESULT IN THE ADMINISTRATIVE EXPENSE CLAIM BEING FOREVER BARRED AND DISCHARGED.** In accordance with Article 8.01 of the Plan, all objections to Administrative Expense Claims, other than Fee Claims, shall be filed and served on or before the later of (i) July 26, 2013 and (ii) such later date as may be fixed by the Bankruptcy Court, which later date may be fixed before or after July 26, 2013 without notice or hearing.

4. Pursuant to Article 2.03(a) of the Plan and paragraph 23 of the Confirmation Order, any Professional asserting an Administrative Expense Claim under sections 328, 330(a), 331 or 503(b) of the Bankruptcy Code for compensation for services rendered or expenses incurred in the Chapter 11 Cases on or prior to the Effective Date (including reasonable expenses of the members of the Creditors’ Committee incurred as members of the Creditors’ Committee in discharge of their duties as such, a “Fee Claim”) must file an application for final allowance of such Fee Claim with the Bankruptcy Court and serve such application on (i) the Debtors and their counsel, (ii) the Reorganized Debtor(s) and their counsel, (iii) the Liquidation Trustee and counsel for the Liquidation Trust, (iv) the U.S. Trustee, and (v) counsel to the Creditors’ Committee no later than April 29, 2013. **FAILURE TO FILE AND SERVE SUCH FINAL FEE APPLICATIONS TIMELY AND PROPERLY SHALL RESULT IN THE UNDERLYING FEE CLAIMS BEING FOREVER BARRED AND DISCHARGED.** In accordance with Article 2.03(a) of the Plan and paragraph 23 of the Confirmation Order, all objections to Fee Claims, if any, must be filed and served no later than twenty-one (21) days after the filing of the Fee Claim or such other date as may be established by the Bankruptcy Court.

5. Pursuant to Article 2.03(c) of the Plan, any application for the allowance and payment of success and transaction fees must be filed with the Bankruptcy Court and served on (i) the Debtors and their counsel, (ii) the Reorganized Debtor(s) and their counsel, (iii) the Liquidation Trustee and its counsel, (iv) the U.S. Trustee, and (v) counsel to the Creditors’ Committee no later than April 29, 2013. **FAILURE TO FILE AND SERVE A SUCCESS OR TRANSACTION FEE APPLICATION TIMELY AND PROPERLY SHALL RESULT IN THE UNDERLYING CLAIM BEING FOREVER BARRED AND DISCHARGED.** In accordance with Article 2.03(c) of the Plan, all

³ Pursuant to the Plan and Confirmation Order, however, if you are a holder of: (a) a Fee Claim; (b) an Administrative Expense Claim that has been Allowed on or before the Effective Date; (c) the Administrative Agent’s claim, if any, with respect to the Lender’s Contingent Sale Proceeds Payment; and (d) a claim for U.S. Trustee Fees, you are excepted from the requirement of submitting a request for payment of such Administrative Expense Claim with respect to such Administrative Expense Claim. Additionally, the Internal Revenue Service is not required to file a request for payment of an Administrative Expense Claim of the type described in section 503(b)(1)(D) of the Bankruptcy Code.

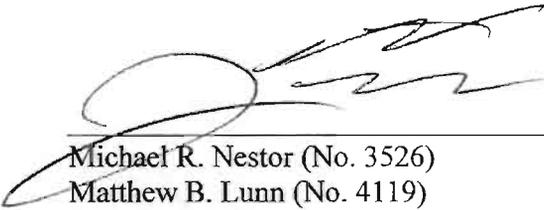
objections to applications for success and transaction fees, if any, must be filed and served no later than twenty-one (21) days after the filing of the underlying application.

6. Pursuant to Article 9.03 of the Plan and paragraph 20 of the Confirmation Order, and in accordance with the Bar Date Order, any holder of a Claim arising from the rejection of an executory contract or unexpired lease pursuant to Article 9.01 of the Plan ("Rejection Damages Claims"), must file a Proof of Claim with respect to the Rejection Damages Claim with Kurtzman Carson Consultants, Attn: Solar Trust of America, LLC Claims Processing Center, 2335 Alaska Avenue, El Segundo, California 90245 and serve a copy of such Proof of Claim on the Debtors no later than April 29, 2013 or such Rejection Damages Claim shall be forever barred and shall not be entitled to a distribution or be enforceable against the Debtors, the Reorganized Debtors, the Liquidation Trust, the Liquidation Trustee, the Estates, or any of their property. **FAILURE TO FILE AND SERVE SUCH REJECTION DAMAGES CLAIM TIMELY AND PROPERLY SHALL RESULT IN SUCH CLAIM BEING FOREVER BARRED AND DISCHARGED.**

7. Pursuant to Article 13.16 of the Plan and paragraph 45 of the Confirmation Order, any party (other than (i) the Liquidation Trustee, (ii) counsel to the Liquidation Trustee, (iii) the Office of the United States Trustee for the District of Delaware, and (iv) the members of the Liquidation Trust Advisory Board) that desires to remain on the 2002 List in the Chapter 11 Cases shall, no later than April 29, 2013, file a renewed request for receipt of notices and serve copies of such request by mail upon the Claims and Voting Agent, the Liquidation Trust, the Liquidation Trustee, the Debtors, and the Reorganized Debtors.

Dated: March 28, 2013
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP



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Counsel for the Debtors

APPENDIX B

Solar Millennium AG – Von der Sonne profitieren

17.07.2013 19:39

**2012-02-28****Insolvency proceedings initiated for Solar Millennium AG**

Erlangen, 28 February 2012 - The Amtsgericht [Local Court of] Fürth initiated the insolvency proceedings for Solar Millennium AG on Tuesday. The court appointed Volker Böhm, lawyer from Nuremberg, as insolvency administrator. He had already been appointed interim insolvency administrator last December. Upon the initiation of insolvency proceedings, Mr. Böhm assumes power of administration and disposal from the former Company organs.

The search for investors for the Company will continue. The insolvency administrator still sees takeover opportunities for the Flagsol GmbH subsidiary in Cologne and some of the Spanish power plant projects, particularly Arenales. Apparently investors are also interested in taking over Solar Millennium AG as a whole, although the prospects of success are highly uncertain in this respect. Therefore, the Company's remaining staff of about 40 received a notice of termination on Tuesday.

The Amtsgericht appointed a creditors' committee of inspection. The first creditors' meeting is scheduled to take place on 15 May 2012.

About Solar Millennium AG:

Solar Millennium AG (ISIN DE0007218406), Erlangen, is a company that operates globally in the renewable energy sector, with its main focus on solar power plants. Together with its subsidiaries and associates, the Company specializes in solar-thermal power plants, particularly parabolic trough plants.

The Company covers all important business sectors along the value chain for solar power plants: from project development and financing to technology and the turnkey construction and operation of power plants. Solar Millennium realized Europe's first parabolic trough power plants in Spain as well as the first modern parabolic trough solar field in Egypt.

Contact:

Solar Millennium AG

Corporate Communications: presse@SolarMillennium.de
Phone: +49 (0)9131 9409-0

Schultze&Braun

Mail: Presse@schubra.de, Phone: +49 (0)179 1009080

Summary of press releases

APPENDIX C

**BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(LIVE) SERIAL REGISTER PAGE**

Run Date/Time: 05/01/12 11:58 AM

Page 1 of 3

01 10-21-1976;090STAT2776;43USC1761

Total Acres

Serial Number

Case Type 283103: ROW-SOLAR DEV FAC

3,995.000

CACA-- - 049016

Commodity 975: SOLAR ENERGY FACILITIES

Case Disposition: **CLOSED**

Case File Juris: RIDGECREST FIELD OFFICE

Serial Number: CACA-- - 049016

Name & Address

Int Rel

%Interest

SOLAR MILLENNIUM LLC

1625 SHATTUCK AVE STE 270

BERKELEY CA 94709

APPLICANT

100.000000000

Serial Number: CACA-- - 049016

Mer Twp Rng	Sec	SType	Nr Suff	Subdivision	District/Resource Area	County	Mgmt Agency
21 0270S 0390E 013		ALIQ		SENWSWSW,SWSSESWSW;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 013		ALIQ		SWSWSW,W2NWSWSW;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 014		ALIQ		S2SW,NWSW,SE;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 023		ALL		ENTIRE SECTION	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 024		ALL		ENTIRE SECTION	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 025		ALL		ENTIRE SECTION	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 026		ALL		ENTIRE SECTION	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 027		ALIQ		E2SE,NE;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 034		ALIQ		E2NE,E2NENESE;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 035		ALL		ENTIRE SECTION	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 002		FF		LOTS 1-4;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT

Serial Number: CACA 049016

Relinquished/Withdrawn Lands

21 0270S 0390E 701		ALIQ		N2SW,N2S2SW,SESESW;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 701		LOTS		1,2;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 711		ALIQ		N2,N2SW,SW,	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 712		ALIQ		ALL;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 713		ALIQ		ALL;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 727		ALIQ		SW;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0390E 734		ALIQ		W2,SE;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 701		ALIQ		S2;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 701		ALIQ		S2N2;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 701		LOTS		1,2,3,4;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 702		ALIQ		S2N2;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 702		ALIQ		S2;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 702		LOTS		1,2,3,4;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0280S 0390E 703		ALIQ		ALL;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0400E 731		ALIQ		E2NW;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0400E 731		ALIQ		NESW;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0400E 731		LOTS		5,6;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT
21 0270S 0400E 731		LOTS		7,8,9;	RIDGECREST FIELD OFFICE	KERN	BUREAU OF LAND MGMT

Serial Number: CACA-- - 049016

Act Date	Code	Action	Action Remarks	Pending Office
03/23/2007	045	PROJECT NAME	SOLAR MILLENNIUM	
03/23/2007	049	BLM POINT OF CONTACT	JANET EUBANKS	
03/23/2007	124	APLW RECD	250 MW CSP TROUGH;	
06/29/2007	104	ADDTL INFO RQSTD	POD;	
06/29/2007	106	MONIES REQUESTED		
06/29/2007	182	APLNT NTF PROC TIME		
08/08/2007	103	ADDTL INFO RECD	POD;	
12/12/2007	110	APLN COMPLETE		
12/12/2007	501	REFERENCE NUMBER	LVRWB09B2990;	
12/12/2007	971	CGST RECOV (PROC) RECD	\$19188.00;1	

NO WARRANTY IS MADE BY BLM
FOR USE OF THE DATA FOR
PURPOSES NOT INTENDED BY BLM

**BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(LIVE) SERIAL REGISTER PAGE**

Run Date/Time: 05/01/12 11:58 AM

Page 2 of 3

02/28/2008	393	DEC ISSUED	CAT VI DET;
04/02/2008	845	CAT 6 COST RECOVERY-PROC	
04/02/2008	971	COST RECOV (PROC) RECD	\$75000.00;1
08/04/2008	104	ADDTL INFO RQSTD	POD;
08/07/2008	312	RELQ (PARTIAL) FILED	
08/07/2008	890	RELQ (PARTIAL) ACCEPTED	
06/13/2009	048	STATE APLN FILED	
07/21/2009	971	COST RECOV (PROC) RECD	\$95000.00;1
09/14/2009	046	RESOURCE CONFLICT	
11/14/2009	047	FORECASTED DATE	
11/23/2009	004	NEPA ANALYSIS INITIATED	
11/23/2009	610	PUBLISHED	74FR61168;BIS;
01/26/2010	042	CASE SENT TO	CDD - JANET EUBANKS.
01/29/2010	845	CAT 6 COST RECOVERY-PROC	\$595605.46;
02/08/2010	114	AMEND//CORR APLN RECD	ACREAGE ADJUSTMENT
02/11/2010	669	LAND STATUS CHECKED	
03/29/2010	971	COST RECOV (PROC) RECD	\$250000.00;1
12/13/2010	104	ADDTL INFO RQSTD	MODIFIED MILESTONES
12/21/2010	103	ADDTL INFO RECD	MODIFIED MILESTONES
01/21/2011	130	APLN WITHDRAWN	
03/28/2011	379	REFUND AUTHORIZED	\$48466.07;1
03/29/2011	967	CLOSED WITHOUT ACTION	

Line Nr Remarks

Serial Number: CACA-- - 049016

0001	THIS SITE IS LOCATED ON BOTH SIDES OF BROWN ROAD AND
0002	NEAR HWY 195
0003	CATEGORY VI PROCESSING DETERMINATION
0004	\$286,100.00 ESTIMATE;595,000.00 DEPOSIT
0005	4TH REVISED ROD RECEIVED 2/2/2010
0006	CDC IS THE LEAD NEPA COOPERATING AGENCY
0007	AMENDED MILESTONES AND WAS SCHEDULE RECD 1/5/2011

APPENDIX D



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RECEIVED BY Sacramento CA 95814

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CHIEF COUNSEL'S OFFICE

February 16, 2012

California Energy Commission
Docket Unit
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: **STA ADDITIONAL INFORMATION IN RESPONSE TO COMMITTEE
QUESTIONS TO SUPPORT MOTION FOR JURSDICTIONAL WAIVER
RIDGECREST SOLAR POWER PROJECT
DOCKET NO. (09-AFC-9)**

Enclosed for filing with the California Energy Commission is the original of **STA
ADDITIONAL INFORMATION IN RESPONSE TO COMMITTEE QUESTIONS TO
SUPPORT MOTION FOR JURSDICTIONAL WAIVER**, for the Ridgecrest Solar Power
Project (09-AFC-9).

Sincerely,

Marie Mills

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STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

**RIDGECREST SOLAR POWER
PROJECT**

DOCKET NO: 09-AFC-9

**STA ADDITIONAL INFORMATION IN
RESPONSE TO COMMITTEE
QUESTIONS TO SUPPORT MOTION
FOR JURISDICTIONAL WAIVER**

On February 3, 2012, Solar Trust of America Development (STA) received through its Counsel of Record a request from the Hearing Officer assigned to this matter. Specifically the Hearing Officer requested STA to file a response to be docketed and served on all parties to answer the following inquiry:

A recent press release from Solar Trust of America (STA) announced that Solar Millennium AG, a majority equity shareholder of STA, initiated insolvency proceedings in Germany. Recent media reports further indicate that a sale of Solar Millennium's interest in STA may have been consummated.

For the benefit of the Commissioners and persons who have participated in the Ridgecrest Solar Power Project proceedings, including the proceedings that led to the Hearing Adviser's [Proposed] Commission Decision Affirming that Warren-Alquist Act Section 25502.3 Applies to Photovoltaic Electrical Generating Facilities, please confirm whether STA intends to proceed with a project and if so, how the insolvency proceedings and media reports of a sale may affect the timeline by which STA would do so.

Notwithstanding our contention that the question presented is wholly irrelevant to the matter currently pending before the Commission, the simple answer is that solarhybrid

AG, the buyer of Solar Millennium's interest in STA, intends to develop the Ridgecrest Solar Power Project (RSPP). Specifically, solarhybrid AG intends to develop a PV project that is smaller in footprint than the concentrated solar power configuration described in the RSPP AFC. The PV project will be located within BLM land (no County land) located on the south side of Brown Road thereby avoiding the desert tortoise habitat located north of Brown Road and avoiding the Mohave Ground Squirrel habitat corridor identified within the main wash area located on both sides of Brown Road. With respect to timing, neither STA nor solarhybrid AG can commit to date for filing of a PV Project for RSPP as development has been suspended until the Commission rules on the motion.

BACKGROUND

STA originally approached CEC Staff for guidance on the applicability of Section 25502.3 of the Warren Alquist Act to projects that would employ PV technology. Staff instructed STA Counsel to file a motion specifically in a proceeding involving a project that was seeking to employ PV technology. STA then filed the pending motion in this proceeding. That original motion was filed on June 17, 2011. The Committee ordered briefs which were filed by the parties on July 6, 2011. Oral argument took place before the Committee on July 25, 2011. On July 28, 2011, the Committee requested the Commission take the matter from the Committee as the decision would be precedential and would affect stakeholders beyond those involved in the Ridgecrest Proceeding. The Commission agreed and withdrew the motion from the Committee on August 24, 2011. On September 16, 2011 the parties filed Supplemental Briefs answering specific questions posed by the Commission. On December 5, 2011 after consideration of all documents in the matter, the assigned Hearing Officer published a Proposed Decision.

STA is entitled to a decision on its motion. The hearing on the Proposed Decision has been continued twice with the latest continuance being indefinite with no specified date. The Commission has had the issue under advisement for over 5 months. STA respectfully requests that the Commission rule on this matter and specifically requests the Commission adopt the Proposed Decision as its own.

Respectfully Submitted,

February 16, 2012



Scott A Galati
Counsel to STA



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APPLICATION FOR CERTIFICATION
For the *RIDGECREST SOLAR POWER PROJECT*

Docket No. 09-AFC-9
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(Revised 2/10/2012)

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DECLARATION OF SERVICE

I, Marie Mills, declare that on February 16, 2012, I served and filed copies of the attached STA ADDITIONAL INFORMATION IN RESPONSE TO COMMITTEE QUESTIONS TO SUPPORT MOTION FOR JURISDICTIONAL WAIVER, dated February 16, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest/index.html].

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
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AND

For filing with the Docket Unit at the Energy Commission:

- by sending one electronic copy e-mailed to the address below (preferred method); OR
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 09-AFC-9
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
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I declare under penalty of perjury under the laws of the State of California 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.



Marie Mills

Photovoltaic news and pv jobs

Solarhybrid insolvency proceedings open

06. JUNE 2012 | [INDUSTRY & SUPPLIERS, MARKETS & TRENDS](#) | BY SANDRA ENKHARDT

The insolvency process has begun for Germany's Solarhybrid AG.



Solarhybrid develops large-scale photovoltaic projects.
[solarhybrid ag](#)

The Arnsberg district court announced on June 1 that insolvency proceedings have opened for Solarhybrid, reports German news agency, dpa. The district court has appointed Dortmund lawyer, Axel Kampmann, liquidator.

The company was forced to [file for insolvency](#) after the announcement in Germany of the [planned solar subsidy](#)

[cuts in late February](#), which proposed the removal of tariffs for plants over 10 megawatts in size.

Currently, the website of the large-scale photovoltaic project company is unavailable.

Translated by Becky Beetz.

Related News:

- [Global Solar announces German subsidiary insolvency](#) 26.06.2012
- [Bankruptcy or acquisition facing half of PV manufacturers](#) 30.05.2012
- [Solarhybrid files for bankruptcy](#) 21.03.2012
- [Solarhybrid and Solar Millennium finalize takeover deal](#) 06.02.2012
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PV poll of the week

Will China and the EU reach an agreement on the trade dispute before the higher import duties kick in on Aug. 6?

- Yes they will.
- Maybe, but negotiations will take a longer time.
- No, this is the beginning of a trade war and the higher duties will come into effect

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DECLARATION OF SERVICE

I, Janice Titgen, declare that on August 14, 2013, I served and filed copies of the **Staff Motion to Terminate the Application for Certification** dated August 14, 2013. The most recent Proof of Service List, which I copied from the web page for this project at: <http://www.energy.ca.gov>, is attached to this Declaration.

(Check one)

For service to all other parties and filing with the Docket Unit at the Energy Commission:

I successfully uploaded the document to the Energy Commission's e-filing system and I personally delivered the document or deposited it in the US mail with first class postage to those persons for whom a physical mailing address but no e-mail address is shown on the attached Proof of Service List. [The e-filing system will serve the other parties and Committee via e-mail when the document is approved for filing.]

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: August 14, 2013

s/Janice Titgen



Proof of Service List

Docket: 09-AFC-09

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