

DOCKETED

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Project Title:	Palen Solar Power Project - Compliance
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Document Title:	Order Granting Motion to Continue Hearing Dates and Revised Committee Scheduling Order
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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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***PALEN SOLAR ELECTRIC
GENERATING SYSTEM AMENDMENT***

Docket No. 09-AFC-07C

ORDER GRANTING MOTION TO CONTINUE HEARING DATES AND REVISED COMMITTEE SCHEDULING ORDER

On May 21, 2014, the Committee designated to conduct proceedings in the PSEGS Petition for Amendment granted Petitioner Palen Solar Holdings' Motion to Reopen the Evidentiary Record, which included a Scheduling Order. On May 23, 2014, Intervenor Basin and Range Watch requested a continuance of the evidentiary hearing dates. On May 27, 2014, the Committee issued a Notice of Prehearing Conference and Evidentiary Hearing, which incorporated the same schedule as the May 21, 2014 Order.

On May 28, 2014, Intervenor Center for Biological Diversity (CBD) filed a Motion to Continue Hearing Date and Schedule Deadlines, which included a motion for Expedited Consideration. The motion specified that CBD's main expert witness would be unavailable on the dates set for evidentiary hearings and argued that the schedule was too abbreviated to allow full and fair participation. On May 28, 2014, Petitioner filed its Opposition to CBD's Motion for Continuance, arguing that CBD has had ample time to gather evidence to rebut Petitioner's earlier filings and the unavailability of one witness does not amount to good cause for a continuance. Further, Petitioner argued that a delay in the process may jeopardize desert tortoise clearance activities in the fall of 2014.

Ruling

While the Petitioner had filed some of its evidence in advance, the Order Granting Petitioner's Motion to Reopen the Evidentiary Record has expanded the scope of the hearings to include new topic areas including glint and glare, solar flux impacts to flying invertebrates, and the possibility that the PSEGS project may need to use more natural gas than currently proposed. The parties will need reasonable time to provide new evidence on these topics and prepare their witnesses' testimony.

We welcome and encourage public participation in our proceedings and, in light of Basin and Range Watch's and CBD's requests for a schedule change, we find that extending the schedule will better accommodate full participation of the public and provide a more thorough record. The Motion to Continue the Hearing Date and Schedule Deadlines is **GRANTED**.

Since the Petitioner agrees with the request by CBD for an expedited ruling on the motion, the motion for expedited consideration of the motion is **GRANTED**. We have revised the schedule in a way that fairly balances the needs of the Intervenors and the Petitioner and allows for a final decision within a reasonable time frame. Accordingly, we find good cause to continue the hearing dates and deadlines in this proceeding as shown in the **Revised Committee Schedule** below.

PLEASE TAKE NOTICE that the following schedule **supersedes** all prior schedules:

<u>EVENT</u>	<u>DATE</u>
All Parties File Testimony	6/23/14
All Parties File Rebuttal Testimony	7/18/14
All Parties File Prehearing Conference Statements with Exhibit Lists	7/21/14
Prehearing Conference	7/23/14
Evidentiary Hearings in Blythe, CA	7/29/14 – 7/31/14
Evidentiary Hearings in Sacramento, CA (if necessary)	8/4/14
All Parties File Opening Briefs	2 weeks after the transcripts are published
All Parties File Reply Briefs	3 weeks after the transcripts are published
Presiding Members Proposed Decision (PMPD) Published	9/8/14
Committee Conference on PMPD	TBD
Close of Public Comment Period on PMPD	10/8/14
Errata/Revisions to PMPD, if necessary	TBD
Final Adoption Hearing by the California Energy Commission	TBD

*TBD = to be determined.

Revised May 30, 2014

The Committee will issue a Revised Notice of Prehearing Conference and Evidentiary Hearing shortly.

SO ORDERED.

Dated: May 30, 2014, at Sacramento, California.

Original Signed By:

KAREN DOUGLAS
Commissioner and Presiding Member
Palen Solar Electric Generating System
Amendment Committee

Original Signed By:

DAVID HOCHSCHILD
Commissioner and Associate Member
Palen Solar Electric Generating System
Amendment Committee