

DOCKETED

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Project Title:	Palen Solar Power Project - Compliance
TN #:	203112
Document Title:	Response to Center for Biological Diversity's Email re Clarification of PSEGS' Comments Deadline and Preceding Email Chain
Description:	N/A
Filer:	Darlene Burgess
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	9/26/2014 11:04:57 AM
Docketed Date:	9/26/2014

Celli, Ken@Energy

From: Celli, Ken@Energy
Sent: Thursday, September 25, 2014 11:38 AM
To: Lisa Belenky; 'Sara A. Clark'; 'Charlie Turlinski'; 'Clay Jensen'; matt.stucky@solar.abengoa.com; sobia.naqvi@solar.abengoa.com; 'Marie Fleming'; 'Scott Galati'; Andrea@agrenier.com; 'Alfredo Figueroa'; 'Ileene Anderson'; rloudbear@critdoj.com; 'Christina M. Caro'; atomictoadranch@netzero.net; 'Richard T. Drury'; 'CURE'; 'Basin & Range Watch'; 'Tanya A. Gulesserian'
Cc: 'Winter King'; Energy - Public Adviser's Office; 'Tiffany North'; Douglas, Karen@Energy; Allen, Eileen@Energy; Nelson, Jennifer@Energy; Hochschild, David@Energy; Taylor, Gabriel@Energy; Awolowo, Ollie@Energy; McDonnell, Kathleen@Energy
Subject: RE: Clarification on the PSEGS comments deadline

Ms. Belenky:

The conference is an opportunity for discussion of comments between the Committee and parties. The Committee may respond orally on the record or may file responses to comments in the errata if time permits. The comment period ends on 10/15/14 and the adoption hearing is 10/29/14. In those 2 weeks, I try to respond to the comments in the errata. The sooner I get all the comments, the sooner I can circulate the errata. This is why it is important to get parties' comments on 10/2/14.

Kenneth Celli
Hearing Advisor

From: Lisa Belenky [lbelenky@biologicaldiversity.org]
Sent: Thursday, September 25, 2014 11:04 AM
To: Celli, Ken@Energy; 'Sara A. Clark'; 'Charlie Turlinski'; 'Clay Jensen'; matt.stucky@solar.abengoa.com; sobia.naqvi@solar.abengoa.com; 'Marie Fleming'; 'Scott Galati'; Andrea@agrenier.com; 'Alfredo Figueroa'; 'Ileene Anderson'; rloudbear@critdoj.com; 'Christina M. Caro'; atomictoadranch@netzero.net; 'Richard T. Drury'; 'CURE'; 'Basin & Range Watch'; 'Tanya A. Gulesserian'
Cc: 'Winter King'; Energy - Public Adviser's Office; 'Tiffany North'; Douglas, Karen@Energy; Allen, Eileen@Energy; Nelson, Jennifer@Energy; Hochschild, David@Energy; Taylor, Gabriel@Energy; Awolowo, Ollie@Energy; McDonnell, Kathleen@Energy
Subject: RE: Clarification on the PSEGS comments deadline

Mr. Celli, I am writing to ask for a clarification. In your email on September 23 you stated " The whole idea of having the parties submit their comments by Thursday 10/2/14 is to enable the Committee to respond to them at the Monday 10/6/14 Committee Conference in Palm Desert." (emphasis added). In your earlier email today you stated "We ask that you do your best to provide comments by 10/2/14 so the Committee can ask questions and get clarification on parties' comments." (emphasis added). My question is, will the Committee be providing oral or written responses to the comments on the PMPD by the parties and members of the public at the October 6 meeting? Or if not, will the Committee or the Commission be providing responses to comments on the PMPD at some later time? If so, when will the responses to comments be available? In particular, I would like to know how much time the parties will have to review the written responses to comments on the PMPD before the Commission hearing. Thank you. Lisa

Lisa T. Belenky, Senior Attorney
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-----Original Message-----

From: Celli, Ken@Energy [<mailto:Ken.Celli@energy.ca.gov>]

Sent: Thursday, September 25, 2014 10:38 AM

To: Sara A. Clark; Charlie Turlinski; Clay Jensen; matt.stucky@solar.abengoa.com; sobia.naqvi@solar.abengoa.com; Marie Fleming; Scott Galati; Andrea@agrenier.com; 'Alfredo Figueroa'; 'Ileene Anderson'; rloudbear@critdoj.com; 'Christina M. Caro'; atomicoadranch@netzero.net; 'Richard T. Drury'; 'CURE'; 'Basin & Range Watch'; Tanya A. Gulesserian

Cc: Lisa Belenky; Winter King; Energy - Public Adviser's Office; Tiffany North; Douglas, Karen@Energy; Allen, Eileen@Energy; Nelson, Jennifer@Energy; Hochschild, David@Energy; Taylor, Gabriel@Energy; Awolowo, Ollie@Energy; McDonnell, Kathleen@Energy

Subject: RE: Clarification on the PSEGS comments deadline

Ms. Clark:

Comments on the PMPD are encouraged by not required. We ask that you do your best to provide comments by 10/2/14 so the Committee can ask questions and get clarification on parties' comments. Later filed comments will miss the opportunity to confer with the Committee. Since we are unable to change the conference date, an extension of time to submit party comments until after the Committee Conference defeats the purpose of the conference. Therefore, a further extension to submit party comments is DENIED.

Kenneth Celli

Hearing Officer

From: Sara A. Clark [Clark@smwlaw.com]

Sent: Thursday, September 25, 2014 9:58 AM

To: Celli, Ken@Energy; Charlie Turlinski; Clay Jensen; matt.stucky@solar.abengoa.com; sobia.naqvi@solar.abengoa.com; Marie Fleming; Scott Galati; Andrea@agrenier.com; 'Alfredo Figueroa'; 'Ileene Anderson'; rloudbear@critdoj.com; 'Christina M. Caro'; atomicoadranch@netzero.net; 'Richard T. Drury'; 'CURE'; 'Basin & Range Watch'; Tanya A. Gulesserian

Cc: Lisa Belenky; Winter King; Energy - Public Adviser's Office; Tiffany North; Douglas, Karen@Energy; Allen, Eileen@Energy; Nelson, Jennifer@Energy; Hochschild, David@Energy; Taylor, Gabriel@Energy; Awolowo, Ollie@Energy; McDonnell, Kathleen@Energy

Subject: RE: Clarification on the PSEGS comments deadline

Hearing Officer Celli,

I wanted to bring your attention to your memo of December 23, 2013 (TN# 201466), which extending the party comment deadline on the PMPD indefinitely.

Consequently, while the original PMPD has been available for nine months, the parties were never required to submit their comments on those sections and will need to prepare them for this round of committee consideration. Further, even

though the document as available, the parties would have run the risk during that period of researching and preparing comments on a document that was later revised.

I understand the purpose of your request to the parties to prepare early comments is to foster a dialogue during the Committee Conference, and we will endeavor to prepare comments by the October 2nd deadline. However, we do think a two week comment period on a 1,200-page document makes it very difficult for the parties to effectively participate, especially when the comment period was significantly shortened with only 10 days notice. Consequently, we respectfully request that you reconsider your denial, and reserve the right to submit comments up until the 10/15 public comment deadline.

Sincerely,
Sara Clark

-----Original Message-----

From: Celli, Ken@Energy [<mailto:Ken.Celli@energy.ca.gov>]

Sent: Tuesday, September 23, 2014 10:27 AM

To: Sara A. Clark; Charlie Turlinski; Clay Jensen; matt.stucky@solar.abengoa.com; sobia.naqvi@solar.abengoa.com; Marie Fleming; Scott Galati; Andrea@agrenier.com; 'Alfredo Figueroa'; 'Ileene Anderson'; rloudbear@critdoj.com; 'Christina M. Caro'; atomicoadranch@netzero.net; 'Richard T. Drury'; 'CURE'; 'Basin & Range Watch'; Tanya A. Gulesserian

Cc: Lisa Belenky; Winter King; Energy - Public Adviser's Office; Tiffany North; Douglas, Karen@Energy; Allen, Eileen@Energy; Nelson, Jennifer@Energy; Hochschild, David@Energy; Taylor, Gabriel@Energy; Awolowo, Ollie@Energy; McDonnell, Kathleen@Energy

Subject: RE: Clarification on the PSEGS comments deadline

Dear Ms. Clark:

The whole idea of having the parties submit their comments by Thursday 10/2/14 is to enable the Committee to respond to them at the Monday 10/6/14 Committee Conference in Palm Desert. The RPMPD is almost entirely unchanged from the 12/21/13 PMPD except Alternatives, Bio (avian flux and Condition Bio-16 only), Cul (Condition CUL-1 only), Traffic (Condition Trans-7 only and aviation discussion), Overrides, the phasing and thermal energy storage discussion in Project Description and Intro. The unchanged sections have been available for 9 months. If you focus on only the changed sections, the document is not at all lengthy. CRIT's comments are recommended by not required. Therefore, the request to extend the deadline for parties' comments is DENIED.

Kenneth D. Celli
Hearing Advisor II
California Energy Commission
1516 Ninth Street, MS-9
Sacramento, CA 95814
(916) 651-8893

-----Original Message-----

From: Sara A. Clark [<mailto:Clark@smwlaw.com>]

Sent: Monday, September 22, 2014 4:35 PM

To: Celli, Ken@Energy; Charlie Turlinski; Clay Jensen;
matt.stucky@solar.abengoa.com; sobia.naqvi@solar.abengoa.com; Marie Fleming; Scott Galati; Andrea@agrenier.com; 'Alfredo Figueroa'; 'Ileene Anderson';
rloudbear@critdoj.com; 'Christina M. Caro'; atomicoadranch@netzero.net; 'Richard T. Drury'; 'CURE'; 'Basin & Range Watch'; Tanya A. Gulesserian
Cc: Lisa Belenky; Winter King; Energy - Public Adviser's Office; Tiffany North; Douglas, Karen@Energy; Allen, Eileen@Energy; Nelson, Jennifer@Energy; Hochschild, David@Energy; Taylor, Gabriel@Energy; Awolowo, Ollie@Energy; McDonnell, Kathleen@Energy
Subject: RE: Clarification on the PSEGS comments deadline

Dear Hearing Advisor Celli,

On behalf of Intervenor Colorado River Indian Tribes, I respectfully request an extension of time to provide comments on the Revised PMPD. Due to the length of the document and a number of pre-existing litigation deadlines, we are unable to provide comments by the new party-only deadline of October 2. We would appreciate an extension of time until October 13.

Sincerely,
Sara Clark

-----Original Message-----

From: Celli, Ken@Energy [<mailto:Ken.Celli@energy.ca.gov>]

Sent: Tuesday, September 16, 2014 1:58 PM

To: Charlie Turlinski; Clay Jensen; matt.stucky@solar.abengoa.com;
sobia.naqvi@solar.abengoa.com; Marie Fleming; Scott Galati; Andrea@agrenier.com;
'Alfredo Figueroa'; 'Ileene Anderson'; rloudbear@critdoj.com; 'Christina M. Caro';
atomicoadranch@netzero.net; 'Richard T. Drury'; 'CURE'; 'Basin & Range Watch';
Tanya A. Gulesserian

Cc: Lisa Belenky; Sara A. Clark; Winter King; Energy - Public Adviser's Office; Tiffany North; Douglas, Karen@Energy; Allen, Eileen@Energy; Nelson, Jennifer@Energy; Hochschild, David@Energy; Taylor, Gabriel@Energy; Awolowo, Ollie@Energy; McDonnell, Kathleen@Energy

Subject: Clarification on the PSEGS comments deadline

To the Parties:

Although we have extended the deadline to file comments from the general public to October 15, 2014, the Committee has requested that the parties file their comments by October 2, 2014 in order to facilitate discussions at the October 6, 2014 Committee Conference on the Revised PMPD in Palm Desert. If you have any questions about the timely submission of your comments, please feel free to contact me.

Sincerely,

Kenneth D. Celli
Hearing Advisor II
California Energy Commission
1516 Ninth Street, MS-9
Sacramento, CA 95814
(916) 651-8893=