

DOCKETED

Docket Number:	00-AFC-14C
Project Title:	El Segundo Power Redevelopment Project Compliance
TN #:	206179
Document Title:	Notice of Prehearing Conference and Evidentiary Hearing, Scheduling Order, etc.
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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

**IN THE MATTER OF THE EL SEGUNDO
ENERGY CENTER AMENDMENT**

Docket No. 00-AFC-14C

**NOTICE OF PREHEARING CONFERENCE AND EVIDENTIARY HEARING,
SCHEDULING ORDER, AND FURTHER ORDERS**

PLEASE TAKE NOTICE that the Committee assigned by the Energy Commission to conduct proceedings on the Petition to Amend the El Segundo Energy Center has scheduled a Prehearing Conference and Evidentiary Hearing as follows:

The PREHEARING CONFERENCE will be conducted on:

***Wednesday, October 21, 2015
Beginning at 10:00 a.m.***

**California Energy Commission
Art Rosenfeld Room
1516 Ninth Street
Sacramento, CA 95814
(see map below)**

The EVIDENTIARY HEARING will take place on:

***Tuesday, November 17, 2015
Beginning at 11:00 a.m.
Public Comment Period Begins at 5:00 p.m.***

**Embassy Suites LAX South
1440 East Imperial Avenue
El Segundo, CA 90245
(see map below)**

TELECONFERENCE OPTION: You may participate in the Prehearing Conference and Evidentiary Hearing either in person, by telephone, and/or by computer via the “WebEx”

conferencing system. Please see the "INSTRUCTIONS FOR USING WEBEX TELECONFERENCING USING YOUR COMPUTER AND/OR TELEPHONE" section attached to this notice.

SCHEDULING ORDER

PLEASE TAKE NOTICE that the Committee has established the following schedule for the El Segundo Energy Center’s Petition to Amend which **supersedes** all prior schedules:

<u><i>EVENT</i></u>	<u><i>DATE</i></u>	<u><i>INTERVAL IN WEEKS</i></u>
Final Staff Assessment (FSA)	8/27/15	0
All Parties File Opening Testimony	10/12/15	6 from FSA
All Parties File Rebuttal Testimony ¹	10/16/15	6 from FSA
All Parties File Prehearing Conference Statements and Exhibit Lists	10/19/15	7 from FSA
Last Day to File Petition to Intervene ²	10/19/15	7 from FSA
Staff files Statement of Unresolved Issues 1718.5(c)	10/19/15	7 from FSA
Prehearing Conference	10/21/15	8 from FSA
Evidentiary Hearing	11/17/15	12 from FSA
Presiding Members Proposed Decision (PMPD) published	1/29/16	10 from EH
Committee Conference on PMPD	TBD*	
Close of public comment period on PMPD	TBD*	
Errata/Revisions to PMPD	TBD*	
Final Adoption Hearing by the California Energy Commission	TBD*	

***TBD = to be determined**

Purpose of Prehearing Conference

The Prehearing Conference is a public forum where the Committee will assess the parties' (Petitioner, Energy Commission Staff, Intervenors) readiness for an evidentiary hearing, identify areas of agreement or dispute, and discuss the remaining schedule and procedures necessary to conclude the amendment process. (Cal. Code Regs., tit. 20, § 1718.5.)

¹ Rebuttal testimony is in response to an issue first raised in opening testimony. Testimony which could have, with reasonable diligence, been filed as opening testimony, may be subject to exclusion from rebuttal on the motion of a party or the Committee’s own initiative.

² Unless good cause is shown, Petitions to Intervene are due the earlier of the Prehearing Conference or 30 days prior to first Evidentiary Hearing (Cal. Code Regs., tit. 20, § 1207).

Local, state, federal, and tribal governmental agencies may participate at the Prehearing Conference and Evidentiary Hearing, as necessary. (Cal. Code Regs., tit. 20, § 1714.5.) Elected officials and members of the public may present public comments at these events and/or submit written comments via the Energy Commission's e-Commenting system at:

<https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=00-AFC-14C>.

ORDER REGARDING PREHEARING CONFERENCE STATEMENTS AND EXHIBIT LISTS

All parties are **ORDERED** to docket a Prehearing Conference Statement and Exhibit List **no later than 3:00 p.m. on Monday, October 19, 2015**, unless otherwise directed by the Committee. Failure to timely docket a Prehearing Conference Statement and Exhibit List may result in exclusion of evidence.

“Subject areas” are the general topics identified in the table of contents of the Final Staff Assessment (FSA).

The Prehearing Conference Statement must specify under separate headings:

1. The subject areas that are complete and ready to proceed to Evidentiary Hearing;
2. The subject areas upon which any party proposes to introduce testimony in writing rather than through oral testimony;
3. The subject areas that are not complete and not yet ready to proceed to Evidentiary Hearing, and the reasons therefor;
4. The subject areas that remain disputed and require adjudication, and the precise nature of the dispute for each issue;
5. The identity of each witness the party intends to sponsor at the Evidentiary Hearing, the subject area(s) about which the witness(es) will offer testimony, whether the testimony will be oral or in writing, a brief summary of the testimony to be offered by the witness(es), qualifications of each witness, the time required to present testimony by each witness, and whether the witness seeks to testify telephonically;
6. Subject areas upon which the party desires to question the other parties' witness(es), a summary of the scope of the questions (including witness qualifications), the issue(s) to which the questions pertain, and the time desired to question each witness (*note*: a party who fails to provide, with specificity, the scope, relevance and time for questioning other parties' witness(es) risks preclusion from questioning on that subject area);
7. A list identifying exhibits with transaction numbers (TN) that the party intends to offer into evidence during the Evidentiary Hearing and the technical subject areas to which they apply (see below for further details on Exhibit Lists); and

8. Proposals for briefing deadlines, impact of scheduling conflicts, or other scheduling matters.

All documentary evidence must be docketed in this proceeding's docket (00-AFC-14C) and have a transaction number (TN number) assigned by the California Energy Commission Dockets Unit in accordance with the Revised General Orders Regarding Electronic Document Formats, Electronic Filing and Service of Document and Other Matters filed June 12, 2013, (TN# 71243). Exhibits without a TN, or not docketed in this proceeding's docket, will not be received into evidence absent a showing of good cause.

The parties shall exchange documentary evidence, including written testimony, by docketing an **Exhibit List**. Each document shall be numbered and identified on the Exhibit List as follows:

- Petitioner's exhibits shall be numbered *consecutively* as **Exhibits 1000 through 1999**;
- Staff's exhibits shall be numbered *consecutively* as **Exhibits 2000 through 2999**; and
- Intervenors Michelle Murphy and Bob Perkins' exhibits shall be numbered *consecutively* as **Exhibits 3000 through 3999**.

The Exhibit Lists shall be formatted as four columns. The first column shall list the proposed Exhibit Number. The second column shall contain the TN of the corresponding document. The third column shall state the title of the document as shown in the docket. The fourth column shall state the subject area(s) to which the exhibit applies. Hearing Office staff will then add the Exhibit Number information to the e-filing system and issue a Master Exhibit List.

Failure of a party to comply with the filing requirements stated in this Order may preclude that party from participating in the evidentiary hearing.

Formal and Informal Hearing Procedures

Pursuant to California Government Code section 11445.10 et seq., and the Commission's regulations (Cal. Code Regs., tit. 20, § 1217), the Committee may conduct all or portions of the evidentiary hearing using an informal procedure. At the Prehearing Conference, the Committee will discuss with the parties the use of informal and formal procedures.

The informal hearing process would generally proceed in the following order:

1. All parties' experts on the subject area at hand are sworn in as a panel;

2. Petitioner's experts would provide a brief opening statement summarizing the key points and conclusions of their testimony;
3. Staff's experts would provide a brief opening statement summarizing the key points and conclusions of their testimony;
4. Intervenors' experts would provide a brief opening statement summarizing the key points and conclusions of their testimony;
5. Open discussion among the expert panelists led by the Committee;
6. Attorneys may follow up with questions of their own or other expert witnesses to the extent the Committee finds the questioning productive; and
7. At the conclusion of the attorneys' examination of the experts, the Committee may ask witnesses additional questions or allow panelists to ask additional questions of each other and to offer follow-up answers.

The formal hearing process would generally proceed as follows:

1. A party asks direct questions of its witnesses on the topic at hand, either one at a time or seated as a panel.
2. The other parties then, in turn, ask cross-examination questions of the witness or panel who just testified.
3. The offering party can ask re-direct questions.
4. The other parties can ask re-cross questions.
5. Repeat the above steps for the witnesses offered by the other parties.

Notice of Closed Session Deliberations

At any time during the conference or hearing, the Committee may adjourn to a closed session in accordance with California Government Code section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct.

Transcripts

Parties are responsible for identifying errors in the transcripts of the proceedings. Corrections to the transcripts must be submitted to the Committee within 30 days of the filing of a transcript.

Public Adviser and Public Participation

Members of the public are welcome to attend and offer oral or written comments at the Prehearing Conference and at the Evidentiary Hearing. It is not necessary to be an intervenor to participate in the public process. Interested members of the public are encouraged to submit written comments using the e-commenting system described above. Otherwise, written comments may be submitted for posting on the proceeding docket by handing them directly to the Public Adviser, e-mailing them to docket@energy.ca.gov, or by U.S. Mail to:

California Energy Commission
Docket Unit
Docket Number 00-AFC-14C
1516 Ninth Street, MS-4
Sacramento, CA 95614

For all comments, please include the document number and proceeding name, “***Docket No. 00-AFC-14C, EL SEGUNDO ENERGY CENTER AMENDMENT***” in the subject line and on the cover page.

PLEASE NOTE: Your written and oral comments, attachments, and associated contact information (e.g. your address, phone, e-mail, etc.) become part of the viewable public record. Additionally, this information may become available via Google, Yahoo, and other search engines.

The Energy Commission’s Public Adviser’s Office is available to assist the public in participating in the amendment review process. For assistance, please contact Alana Mathews, Public Adviser, at (916) 654-4489 or (800) 822-6228, or e-mail publicadviser@energy.ca.gov.

If you have a disability and need assistance to participate in this event, please contact Lourdes Quiroz at (916) 654-5146 or e-mail lou.quiroz@energy.ca.gov.

Information

Questions of a legal or procedural nature should be directed to Raoul Renaud, Hearing Adviser, at (916) 651-2020 or e-mail raoul.renaud@energy.ca.gov.

Technical questions concerning the project should be addressed to Camille Remy-Obad, Compliance Project Manager, at (916) 654-3940 or e-mail camille.remy-obad@energy.ca.gov.

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail mediaoffice@energy.ca.gov.

Information regarding the status of the project, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the Energy Commission's Internet web page at <http://www.energy.ca.gov/sitingcases/elsegundo/>.

Dated: September 23, 2015 at Sacramento, California

ORIGINAL SIGNED BY:

KAREN DOUGLAS
Commissioner and Presiding Member
El Segundo Energy Center Amendment Committee

ORIGINAL SIGNED BY:

JANEA A. SCOTT
Commissioner and Associate Member
El Segundo Energy Center Amendment Committee

Sent to mailing list number 7046



**INSTRUCTIONS FOR USING WEBEX TELECONFERENCING
USING YOUR COMPUTER AND/OR TELEPHONE**



EVENT	DATE	MEETING NUMBER	PASSWORD
PREHEARING CONFERENCE	WEDNESDAY October 21, 2015	927 842 060	pwd#1516
EVIDENTIARY HEARING	TUESDAY November 17, 2015	922 439 143	pwd#1516

Using Your Computer:

1. Go to <https://energy.webex.com> and enter the above meeting number.
2. When prompted, enter your name, e-mail address, and the meeting password above.
3. After a moment, an Audio Conference Box will offer you a choice of audio connections:
 - a) To have WebEx call you back: Type your area code and phone number into the drop down box and click "Call Me" (Click on "Use Phone" if you do not see the drop down box.)
 - b) To call into the teleconference from your phone (if, for example, your phone is an extension or you are an international caller): Use the drop-down box to select "I will Call in" and follow the on-screen directions. Click "All global call-in numbers" if you need to look up an international call-in number.
 - c) To listen and talk over your computer: If you have the needed equipment and your computer is configured, click the "Call Using Computer" button. (You may need to click "Use Computer for Audio" to make the button visible.)

Telephone Only:

1. Call 1 (866) 469-3239 (toll-free in the U.S. and Canada. International Callers can select a global call-in number at <https://energy.webex.com/energy/globalcallin.php>.)
2. When prompted enter the meeting number above.

Please be aware that WebEx audio and on-screen activity may be recorded. WebEx Technical Support is available at 1 (866) 229-3239.

Meeting Agenda – Prehearing Conference:

El Segundo Energy Center Amendment, 00-AFC-14C

**Wednesday, October 21, 2015
Beginning at 10:00 a.m.**

**California Energy Commission
Art Rosenfeld Room
1516 Ninth Street
Sacramento, CA 95814**

1. Call to Order
2. Report from Petitioner, Staff and Intervenor(s) regarding their readiness for the upcoming Evidentiary Hearing, proposed testimony and witnesses; Committee discussions with the parties about the order of topics, use of informal and formal procedures, and other matters in preparation for the Hearing.

3. Public Comment

Members of the public and other interested persons and entities may speak up to three minutes on a matter appearing on this agenda.

4. Closed Session (if necessary)

Committee Closed Session consideration of the following Item:

PETITION TO AMEND THE EL SEGUNDO ENERGY CENTER

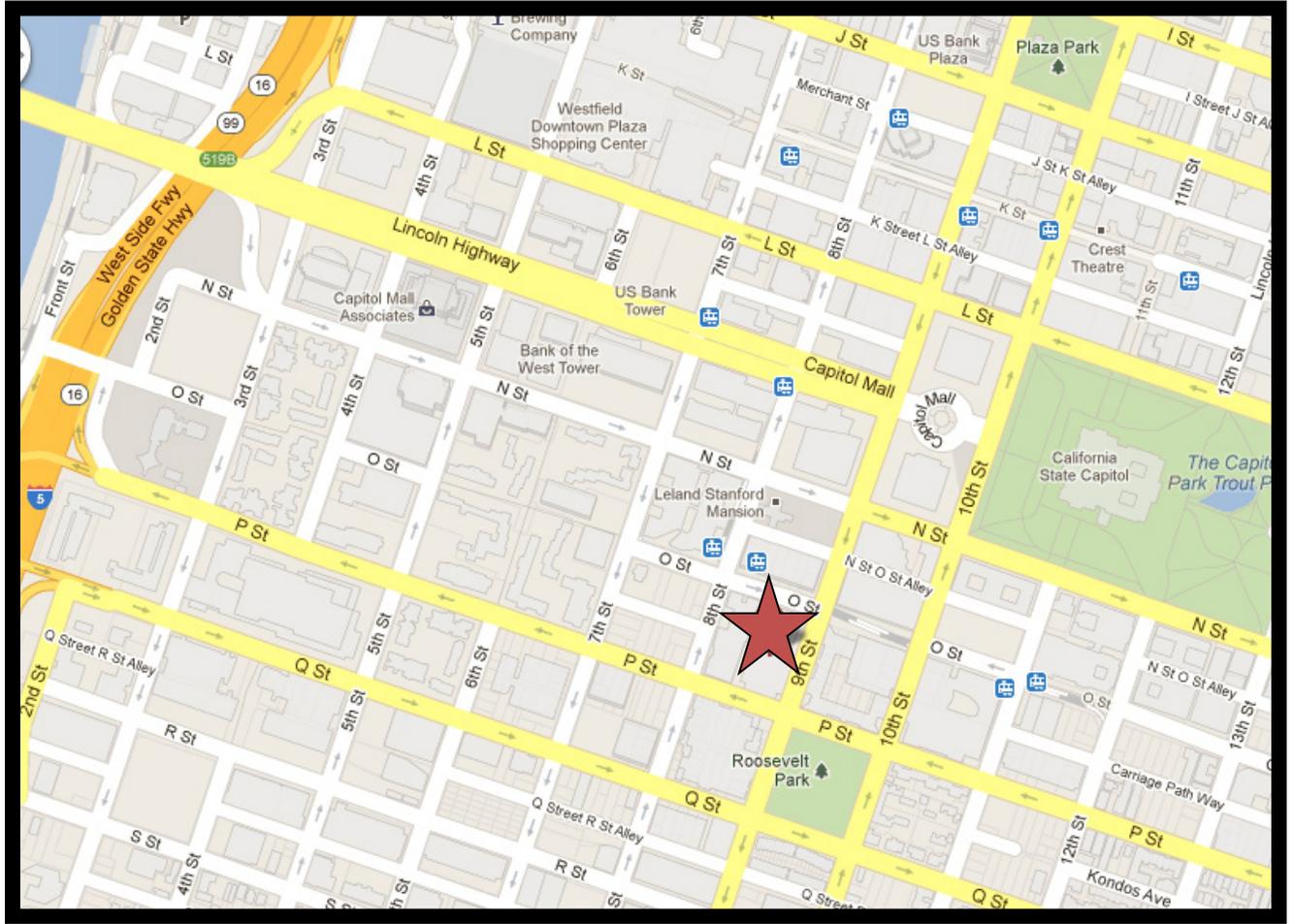
Deliberation by the Committee on any matters submitted for decision by the Committee including, but not limited to, pending motions and scheduling.

The Committee will adjourn to Closed Session in accordance with Government Code, section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a Closed Session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct.

6. Adjourn

Agency Contact: Raoul Renaud, Hearing Adviser, phone: (916) 651-2020, or e-mail raoul.renaud@energy.ca.gov.

**Prehearing Conference at the California Energy Commission
Art Rosenfeld Room
1516 Ninth Street
Sacramento, CA 95814**



Meeting Agenda – Evidentiary Hearing
El Segundo Energy Center Amendment, 00-AFC-14C

TUESDAY, NOVEMBER 17, 2015
Beginning at 11:00 a.m.

Embassy Suites LAX South
1440 East Imperial Avenue
El Segundo, CA 90245

1. Call to Order – 11:00 a.m.
2. Evidentiary Hearing

Topic orders will be determined following the October 21, 2015 Prehearing Conference and announced by a separate document filed in the Docket and available via the webpage at <http://www.energy.ca.gov/sitingcases/elsegundo/>.

Receipt of evidence from Applicant, Staff and Intervenors on the Petition to Amend the El Segundo Energy Center.

3. Public Comment - 5:00 p.m.
Members of the public and other interested persons and entities may speak up to three minutes on a matter appearing on this agenda. The Committee has set aside specific time to receive public comments beginning at 5:00 p.m. on November 17, 2015 and will not adjourn the hearing for the day before 5:30 p.m.
4. Closed Session (if necessary)

Committee Closed Session consideration of the following item:

PETITION TO AMEND THE EL SEGUNDO ENERGY CENTER.

Deliberation by the Committee on any matters submitted for decision by the Committee including, but not limited to, pending motions and scheduling.

The Committee will adjourn to Closed Session in accordance with Government Code section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a Closed Session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct.

5. Adjourn

Agency Contact: Raoul Renaud, Hearing Adviser, phone (916) 651-2020, or e-mail raoul.renaud@energy.ca.gov.

**El Segundo Energy Center Amendment Evidentiary Hearing
Embassy Suites LAX South
1440 East Imperial Avenue
El Segundo, CA 90245**

