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DATE	SEP 29 2010
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MANDATORY STATUS CONFERENCE
BEFORE THE
CALIFORNIA ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:)

Application for Certification for)
the Rice Solar Energy Power)
Plant Project)

Docket No.
09-AFC-10

CALIFORNIA ENERGY COMMISSION
HEARING ROOM A
1516 NINTH STREET
SACRAMENTO, CALIFORNIA

WEDNESDAY, SEPTEMBER 29, 2010

2:00 p.m.

ORIGINAL

Reported by:
Peter Petty
Contract No. 170-09-002

COMMITTEE MEMBERS PRESENT

Robert B. Weisenmiller, Presiding Member

Karen Douglas, Chairman and Associate Member

HEARING OFFICER, ADVISORS PRESENT

Kourtney Vaccaro, Hearing Officer

Eileen Allen, Advisor to Commissioner Weisenmiller

Galen Lemei, Advisor to Commissioner Douglas

STAFF AND CONSULTANTS PRESENT

Kevin Bell, Staff Counsel

Deborah Dyer, Staff Counsel (via telephone)

John Kessler, Project Manager

Robert Worl

APPLICANT

Scott Galati, Attorney
Robert Gladden, Attorney
Galati and Blek

Jeff Benoit (via telephone)
Matt Held (via telephone)
Solar Reserve

Andrea Grenier (via telephone)
Grenier and Associates

ALSO PRESENT

Dale Evenson, Deputy Fire Marshal
Riverside County Fire Department

I N D E X

	<u>Page</u>
Proceedings	1
Opening Comments	1
Introductions	
Committee	1
Applicant	4
Staff	7
Applicant's Response to the Committee	4
Staff's Response to the Committee	12
Opportunity for Public Comment	22
Closing Comments	24
Adjournment	23
Reporter's Certificate	24

1 line. But more particularly, do we have anyone from the
2 Bureau of Land Management or the Western Area Power
3 Administration on the line today?

4 (No response.)

5 HEARING OFFICER VACCARO: Okay, it doesn't sound
6 like it. Any other member of a local, federal or state
7 agency that is on the telephone line?

8 (No response.)

9 HEARING OFFICER VACCARO: Okay, I don't hear any.
10 I am aware, however, that we do have a
11 representative from Riverside County here in person. I
12 don't have your name. If you wouldn't mind just letting us
13 know who you are so we can acknowledge your presence.

14 MR. EVENSON: Dale Evenson, Deputy Fire Marshal,
15 Riverside County Fire.

16 HEARING OFFICER VACCARO: Thank you for being here
17 today.

18 Well, I think Commissioner Weisenmiller said it
19 succinctly. Really what we are aiming to accomplish today
20 is to figure out how we are going to accomplish the goals
21 that have already been set for this project.

22 We're looking at an end of the year decision from
23 this Commission, that's the ideal scenario. In order to get
24 there we need to have a hearing. In order to have a hearing
25 we need to have a Staff Assessment published.

1 I think what we need to talk about is the timing
2 of the expectation as we sit here today of the publication
3 of the SA/DEIS and what that means to the existing schedule
4 that we have.

5 As all of you know, October 11th and 12th are
6 currently reserved for the prehearing conference and
7 evidentiary hearing in this matter. I think maybe with a
8 little bit of adjustment we can still preserve at least one
9 of those dates. And the Committee has already looked at its
10 calendar and has been able to identify a backup date, which
11 is Friday October 22, to conduct a hearing. So I think what
12 we're proposing is that we move forward with an October 11
13 prehearing conference and look more realistically towards an
14 October 22 hearing.

15 I'd certainly like to hear from the parties on
16 that proposal. And when we hear from you, if you could also
17 give us a sense of what success you might have had with the
18 workshop. What you anticipate in terms of being the
19 uncontested issues. What we can expect to accomplish within
20 the next few weeks so that this project can stay on the
21 schedule or close to it.

22 So with that I think we'll start with the
23 applicant. Mr. Galati, if you would go ahead and introduce
24 yourself, I'm sorry, I should have done that earlier, as
25 well as the members of the Rice team that are on the

1 telephone. Mr. Galati.

2 MR. GALATI: Scott Galati representing Solar
3 Reserve in the Rice Solar Energy Project. And I believe on
4 the phone that we have Andrea Grenier who is our team leader
5 on the environmental side. And our project director from
6 Solar Reserve is Jeff Benoit, he is on the phone, and his
7 colleague. I apologize for your title, Matt. Matt Held, I
8 think he is director of development for Solar Reserve. And
9 to my right is the smart guy in our firm, Bob Gladden. I
10 decided to bring him with me.

11 Is there anyone I missed on the phone from Solar
12 Reserve's team?

13 (No response.)

14 MR. GALATI: Bull's eye.

15 HEARING OFFICER VACCARO: Okay, so if you would go
16 ahead and respond to the Committee's proposal for the dates,
17 how we move forward with the schedule and what your sense is
18 of the successes, if there were any, from day one of the
19 workshop.

20 MR. GALATI: First of all, this would be rare for
21 you so hang on a second. The Staff Assessment has slipped
22 and I'm not going to scream. We understand the Staff
23 Assessment has slipped. Staff has been good enough to share
24 with us draft sections. Our team turned around and reviewed
25 the draft sections in less than a week and some of them came

1 out even a couple of days before the workshop. We were able
2 to be very, very productive at the workshop.

3 I think that there's a -- there are some sections
4 we have not talked about yet but we have seen and reviewed
5 and those we are going to talk about tomorrow in the
6 continuation of our workshop. And we hope that's as
7 productive as it was yesterday.

8 If I could give you my perspective as we sit here
9 today. It's probably easier for me to list the number of
10 areas that I think that are not -- that might be contested
11 versus the ones, the number that are uncontested, since
12 there's only a few that might be contested. And I'm only
13 saying that they might be contested, some we have not yet
14 spoken, so I am just reserving the right that we might need
15 a hearing. And that would be on Biological Resources. And
16 from our perspective we're talking about four or five
17 conditions, not wholesale topic areas, but some condition
18 languages.

19 Cultural Resources. There might be, again there's
20 some condition language that we'd like to see. And there is
21 only one topic area and it has to do with the project
22 applicants providing a cultural area to be preserved. And
23 it's the extent that that cultural area needs to be
24 preserved and what that looks like. We're going to have
25 further conversations about that on Thursday. We again

1 remain hopeful.

2 Land Use we haven't yet discussed, although there
3 was one thing I'd like to inform the Committee.

4 And I guess this -- I take the opportunity, it
5 piggybacks on what you heard today in the, in the Commission
6 Hearing. And I'd like to tell the Commissioners that I
7 actually very much defend the Energy Commission's CEQA
8 process because it encourages design changes. And while
9 that might be difficult for people to follow, that's exactly
10 what CEQA intended when it was adopted. It's exactly what
11 all the environmental leadership leaders, especially if you
12 look at the environmental leadership that Mark Reisner set
13 out when he started much of the movement, he wanted
14 companies to be able to talk to environmental constituencies
15 and actually make design changes. That happens here at the
16 Commission.

17 And unfortunately when it happens sometimes it's
18 hard to keep track of the design change. But it's
19 absolutely what should happen and should continue to happen.

20 Maybe we can report it a little differently but I don't
21 want to discourage it. I very much defend the process
22 because that is how we are able to come to hearings and not
23 take your valuable time up and have a lot of issues taken
24 off the table with applicants that are willing to change.

25 So one of those design changes was we had designed

1 a person camp where the workers could be housed. At the
2 time we designed the person camp it was because we thought
3 there might be a Traffic and Transportation commute problem
4 to this particular location. So we intended to solve one
5 problem and what it did is open up a can of worms on several
6 other problems that the staff after evaluation identified.

7 So we have now removed the person camp. The staff
8 had already evaluated the Traffic and Transportation in a
9 worst case scenario. We actually presented information both
10 ways. And so that, I think, is going to go a long way to
11 solving some of the problems we had with Land Use. And in
12 Socioeconomic there was a possible impact on the Sheriff's
13 Department about managing that camp. So we have removed
14 that; we think that that's very helpful. So we're pretty
15 hopeful that Land Use will also be uncontested and we're
16 going to talk about that more tomorrow.

17 Soil and Water Resources. We had a lot of
18 technical changes. It was a highly technical conversation
19 yesterday. And it looked like we had agreement on just
20 about everything so I think that we're probably going to be,
21 from a Soil and Water Resources perspective, an uncontested
22 matter as well.

23 Traffic and Transportation has a couple of
24 conditions that are unique to a solar tower site. It has to
25 do with managing the luminescence or monitoring the

1 luminescence of the tower. It also has to do with heliostat
2 positioning.

3 And we had very, very productive conversations
4 yesterday about things, the way the conditions were written,
5 that we would like to see different. And we've come up with
6 some joint language and we're also proposing some language.

7 We may not get it all right ourselves but if we do take the
8 Committee time I actually see it just being pretty minor if
9 there is anything that is not quite disputed -- not quite
10 resolved.

11 And lastly, Visual Resources. There is a -- there
12 is an issue that we're working on right now that has to do
13 with how much with a project that has a significant impact
14 that needs an override according to staff, how much
15 additional painting and blending is necessary. And
16 specifically, some of the areas that are difficult for us to
17 treat and paint. We're continuing to work through those
18 issues. We're continuing to work through the transmission
19 tower issues. And I actually think that we have a good
20 chance of getting there.

21 So my prediction is that if we go to hearing the
22 most topic areas that might be contested would be four and
23 everything else would be uncontested. And that is if we are
24 not productive on Thursday. That's my best guess.

25 And then because of that I think that I would ask

1 the Committee to waive the 14 day rule for purposes of going
2 to evidentiary hearing on the 11th or 12th for purposes of
3 taking into the record the uncontested matters so that you
4 can continue to work on the Presiding Member's Proposed
5 Decision on those matters.

6 If there were comments from the public on those
7 matters one idea would be to leave the record open until the
8 22nd just for comment, public comment on those areas, and
9 then go to evidentiary hearing on the 22nd for those areas
10 that weren't taken in on the 11th or 12th. And then that
11 way it's possible to keep moving forward and minimize the
12 effect of the Staff Assessment not being published this
13 week.

14 HEARING OFFICER VACCARO: Okay, thank you. How
15 about discussing sort of the briefing schedule. That was
16 another aspect.

17 You are expected to get us some opening testimony
18 and a prehearing conference statement in advance of the
19 October 11 date. Knowing that there isn't an SA/DEIS right
20 now but let's say we're anticipating that it will come out
21 this week --

22 MR. GALATI: Yes.

23 HEARING OFFICER VACCARO: What does that mean?
24 Are these dates still viable? And if not, do they need to
25 be changed? Do you need more time? Can you get your work

1 done in a reduced amount of time? And does it help at all
2 for me to suggest that what we do is focus the opening
3 testimony and prehearing conference statement primarily on
4 those issues that are uncontested and use the secondary
5 hearing date, the October 22nd date, to brief and to get all
6 the remaining testimony in with respect to what looked like
7 the contested issues?

8 MR. GALATI: Yes, thank you for reminding me of
9 that because we would -- currently right now we have to file
10 our testimony on the 5th. And I believe our prehearing
11 conference is -- is our prehearing conference on the 5th or
12 the 7th?

13 HEARING OFFICER VACCARO: The 7th.

14 MR. GALATI: Okay. I think as long as the Staff
15 Assessment comes out this week we can continue to file our
16 testimony on the 5th and the prehearing conference on the
17 7th. What I would ask is that we be given until the 10th to
18 be able to file the contested issues.

19 So what we can still do is meet the 5th with all
20 of our exhibits and our uncontested matters and then
21 prehearing conference statement on the 7th outlining for you
22 the areas that we may still have disputes. And file our
23 testimony on contested areas on the 10th for the ability to
24 go to evidentiary hearing on the 22nd on those contested
25 matters. So we'd appreciate another five days or so on the

1 contested matter testimony. I think that's the only thing
2 that would need to change.

3 Now if the Staff Assessment, heaven forbid, did
4 not come out this week, and the Staff Assessment moved to
5 next week, I think that would be problematic. But I'm
6 hoping the Staff Assessment comes out this week.

7 HEARING OFFICER VACCARO: Okay, thank you. And
8 we'll hear from the staff in just a moment.

9 It is my understanding, I think, that Deborah
10 Dyer, are you on the telephone?

11 (No response.)

12 HEARING OFFICER VACCARO: Okay, not quite yet.
13 It's my understanding that she might be joining us by way of
14 the telephone.

15 Mr. Kessler, if you would go ahead and do
16 introductions from staff that would be appreciated. And
17 then if you could also address the initial questions that
18 were posed and any response that you might have to what
19 Mr. Galati has stated.

20 MR. KESSLER: Okay. I'm John Kessler, project
21 manager. To my left is Kevin Bell, our stand-in counsel.
22 Thank you for being spontaneous. And Robert Worl is behind
23 me, he's our senior in the project management group for
24 siting.

25 In terms of schedule I guess the most interest

1 that I'll get right to, what is our publication date. I was
2 advised yesterday afternoon by my counterpart at Western
3 Area Power Administration that their legal team was not able
4 to turn around as quickly as they had hoped and needed a few
5 more days. So his best guess as of yesterday afternoon,
6 which is the latest information I have, is that they could
7 give us a green light on either Friday of this week or
8 Monday of next week.

9 With regard to the schedule that has been
10 discussed and Mr. Galati was suggesting. We did have a
11 chance with Deborah Dyer and myself to discuss that
12 yesterday at the close of the workshop and staff agrees with
13 the concepts that Mr. Galati has indicated. And we might
14 add that for the prehearing conference on the 11th, should
15 we be done early after going through, if the Committee were
16 to consider discussing the non-contested issues at that
17 time. Should there be additional remaining time in the day
18 that we would also encourage that we leave open the option
19 to have a workshop to continue any discussions that we need
20 for outstanding issues.

21 As far as the productivity of the workshop
22 yesterday. I would say it was highly productive. We
23 touched on -- not just touched but went through in detail
24 the topics of Air Quality and Worker Safety, Fire
25 Protection, Soil and Water, Visual Resources, General

1 Conditions, Socioeconomics and Traffic. If I missed
2 anything, Scott or Bob, let me know. Soil and Water, okay.

3 And I think I agree with Mr. Galati's characterization as
4 to where we think we have closure of those issues.

5 We do have some -- and we're trying to make
6 updates to the section since we do have a couple of extra
7 days to reflect that so that we will not require additional
8 updates in the future.

9 HEARING OFFICER VACCARO: I apologize for that, I
10 did hear you. But I'm sorry that I diverted my attention.

11 MR. KESSLER: No, that's okay. I just wanted to
12 give you the chance to hear it.

13 With regard to the -- we have the second, another
14 development yesterday besides working through conditions of
15 certification. We're actually getting edits to our
16 assessment or the way we describe certain features of the
17 project. We also learned that there was no longer going to
18 be a construction RV camp and so we're trying to reflect
19 that throughout the assessment. So it's not only the topics
20 we discussed yesterday but it has some other carryover
21 effect. So we're trying to capture those the best we can.

22 We have another workshop scheduled tomorrow and
23 those will be more environmental issues. We are --
24 certainly Bio and Cultural will be included. And we expect
25 it to be as productive as yesterday's was.

1 So if there's any questions I can answer beyond
2 that I'd be glad to.

3 HEARING OFFICER VACCARO: Well actually, yes.
4 Let's just go back to the Friday or Monday green light.
5 What does that mean in real terms though from getting the
6 green light and actually publishing the document? So if you
7 heard from the federal reviewers by a certain time on
8 Friday, what is that time so that that document could still
9 be published by Friday?

10 MR. KESSLER: Somewhere in the time frame of one
11 or two o'clock to still get everything posted on the web and
12 get it -- make sure there's no final edits based on their
13 feedback, as long as they're minor. And to, you know, have
14 the document docketed and so on.

15 HEARING OFFICER VACCARO: Okay. So is it fair to
16 say probably within a matter of hours you could get it
17 published, depending on the nature of the comments that you
18 receive. But do you anticipate any comments that would
19 delay publication by more than a number of hours?

20 MR. KESSLER: Not at this time.

21 HEARING OFFICER VACCARO: Okay. And so you could
22 get something anywhere from Friday through the end of the
23 day Monday, which means that conservatively we could be
24 looking at a Tuesday publication?

25 MR. KESSLER: Well, I'm assuming that that's

1 possible.

2 HEARING OFFICER VACCARO: Okay. So, Mr. Galati,
3 you were mentioning a few moments ago in response to my
4 questions about the timing and the briefing and how quickly
5 you could put together opening testimony and a prehearing
6 conference statement with respect to the uncontested
7 matters. What does a Monday or Tuesday publication do to
8 your ability to meet the current schedule and what would you
9 propose as an alternative in terms of dates? Because we
10 still do need those documents in advance of the prehearing
11 conference.

12 MR. GALATI: Here is what I would propose. First
13 of all to let the Committee know, we are about three-
14 quarters done with our uncontested testimony based on the
15 kinds of things we talked about yesterday. So what ends up
16 happening is, when the Staff Assessment comes out we'll
17 check to see that the changes were made the way we thought
18 about them and the way we discussed them. And if they are
19 okay then I leave the testimony as is, it says we agree with
20 the conditions of certification and none of our exhibits
21 change, none of that.

22 If there's -- if it didn't quite get captured the
23 way we thought or we were talking past each other, I might
24 need to make some changes. So in order to have that
25 flexibility I would ask the Committee to indulge us until

1 the 7th and we'll file our prehearing conference statement
2 and our uncontested topics on the 7th.

3 And then if we could have until the 12th on our
4 contested topics since I lose a day on the 11th because
5 we'll be here. It also might be helpful for me to have the
6 12th for contested topics if we have a workshop on the 11th
7 because we might be able to turn it into uncontested for our
8 testimony on the 12th.

9 So I would ask for prehearing conference on the
10 7th, to the end of the day instead of the three o'clock or
11 noon time line. Uncontested topic testimony, the end of the
12 day on the 7th. We'd come to evidentiary hearing, present.

13 We'll bring our boxes and our evidence, submit that into
14 the record on the 11th. Workshop the rest of the day. And
15 then on the 12th by the end of the day we could have time to
16 finish up our contested testimony in time for a 22nd
17 hearing.

18 So I could accommodate a Monday, Tuesday
19 publication date if I had until Thursday the 7th.

20 HEARING OFFICER VACCARO: Okay.

21 MS. DYER: I --

22 HEARING OFFICER VACCARO: Thank you.

23 MS. DYER: I'm sorry to interrupt.

24 HEARING OFFICER VACCARO: We'll address the
25 contested, the briefing for contested matters separately.

1 The Committee will go ahead and probably issue an order that
2 sort of takes into consideration where we are at that point
3 in time and gets us better prepared for the October 22nd.

4 I do want to move backwards though because I think
5 what you suggested presupposes that the Committee might very
6 well waive that 14 day time period so that the evidentiary
7 hearing could commence. And I think that is an invitation
8 that is made really looking, I think, to assist the
9 Committee and the Hearing Advisor's Office in preparing the
10 PMPD, and we certainly appreciate that.

11 At this point though, given the timing of the
12 publication of the SA/DEIS, what the Committee is more
13 inclined to do is to move forward on the 11th with the
14 prehearing conference and to have the hearing on October
15 22nd, at which time we will take in the evidence. It
16 certainly doesn't preclude you from providing the Hearing
17 Advisor's Office and the parties with the exhibits earlier
18 and doing all that you can to be poised to move swiftly on
19 the 22nd. But we are not inclined at this point to waive
20 that 14 day period between the publication of the Staff
21 Assessment and the conduct of the evidentiary hearing.

22 MS. DYER: Excuse me. Can you hear me?

23 HEARING OFFICER VACCARO: Yes we can.

24 MS. DYER: I'm sorry, this is Deborah Dyer, I
25 hesitated to interrupt. I apologize for not being on at the

1 beginning of the hearing, I didn't have it on my calendar.

2 HEARING OFFICER VACCARO: Okay. Well thank you
3 for joining us now. We do have staff counsel here in the
4 room as well so we have two of you.

5 Mr. Bell, it looked as though that you wanted to
6 say something at some point so why don't you go ahead and
7 give us your thoughts.

8 MR. BELL: I'm sorry, Ms. Vaccaro, yes. Kevin
9 Bell, staff counsel. I'm somewhat peripherally
10 knowledgeable of the situation with Rice. Ms. Dyer is now
11 on the line. I was just going to bring that to your
12 attention. I heard her trying to interrupt there. So if
13 I'm not needed here I'll let Ms. Dyer take it.

14 HEARING OFFICER VACCARO: Okay, thank you and
15 thank you for your willingness to be present to help move
16 this along.

17 MS. DYER: Thank you, Mr. Bell.

18 HEARING OFFICER VACCARO: Okay and --

19 MR. GALATI: I hesitate to ask. Because as I
20 moved through my calendar here -- and again, it's more
21 important if the Committee were available. On the 22nd I
22 was actually scheduled to speak at the Environmental Law
23 Conference on Renewable Energy. I was the only applicants'
24 attorney invited to speak. Otherwise there would be a very
25 skewed view. So if there was another date like the 21st

1 that was available to the Committee -- And again, I give it
2 a one because I will be here, that's a ten. so it's a one
3 on my scale. Only if it was easy for the Committee to
4 accommodate. They could easily get another speaker.

5 PRESIDING MEMBER WEISENMILLER: I'm afraid -- we
6 really struggled to find a date that worked. So maybe your
7 associate will have to take your place at the conference.

8 MR. GALATI: Yes, that's why I said it was a one.
9 So okay, but I thought I would at least ask.

10 PRESIDING MEMBER WEISENMILLER: Please, please,
11 please check. But as you can imagine -- always ask. But I
12 must confess, the scheduling -- particularly when we saw
13 that we were likely to need another date, we were
14 scrambling.

15 MR. GALATI: No problem. We'll be here on the
16 22nd. And I understand that that will take all the evidence
17 in and that's fine. And again, I think that Ms. Vaccaro hit
18 it right on the head. Our goal to get evidence in the
19 record on the 11th was to help the Hearing Officer. And if
20 the Hearing Officer does not need that help -- to waive the
21 14 -- there's no reason to waive the 14 day. Our job was to
22 try to get the Hearing Officer to see the evidence.

23 I know that she would see the evidence because I
24 would have filed it. So whether or not it's been taken in,
25 she certainly can start reviewing. We can certainly have

1 the boxes of our exhibits. Since it's us and staff and it's
2 uncontested matters and there are no other parties in the
3 proceeding I think that it's probably prudent not to waive
4 the 14 day. And if the Committee is fine with that we
5 certainly are.

6 And we'll be here on the 22nd and we hope that
7 there are no contested items on the 22nd. But to the extent
8 there are we'll, we'll get in and out very quickly.

9 HEARING OFFICER VACCARO: Okay, thank you. I
10 think at this point we have heard everything from the
11 applicant and staff. Is there anything to add from either
12 party? Okay.

13 MS. GRENIER: Kourtney, this is Andrea, I just
14 have a quick question.

15 Would that be a morning scheduled hearing on the
16 22nd? Do you know yet?

17 HEARING OFFICER VACCARO: Yes I do. I know that
18 it's scheduled for the entire day.

19 MS. GRENIER: Okay, great.

20 HEARING OFFICER VACCARO: We're planning to start
21 at about nine o'clock.

22 MS. GRENIER: Okay, thank you.

23 HEARING OFFICER VACCARO: So, Mr. Kessler, just in
24 follow-up to your suggestion that we use October 12 as a
25 workshop day. Then I will put on your plate the task of

1 ensuring that we get that noticed, timely notice of a
2 possible continuation of the public workshops for this
3 matter. And I think we've got plenty of time to get that
4 notice out.

5 MR. KESSLER: I'd be glad to do so, thank you.

6 HEARING OFFICER VACCARO: Okay, thank you.

7 MR. GALATI: Can I have clarification on that?
8 Would that mean that we continue to have the prehearing
9 conference on the 11th?

10 HEARING OFFICER VACCARO: Yes.

11 MR. GALATI: And then we would have a workshop on
12 the 12th?

13 HEARING OFFICER VACCARO: If need be, yes.

14 MR. GALATI: Okay, could I ask the Committee to
15 also notice the workshop starting on the 11th immediately
16 after the prehearing conference. Because we might be able
17 to -- while we're all gathered it might be easier just to do
18 that. I think it's scheduled now at ten. And so once we're
19 done. I would prefer that either after lunch or something
20 we could continue to stay here. Because I know I have -- my
21 people travel and it might not be necessary for them to be
22 here for the second day.

23 HEARING OFFICER VACCARO: Okay. I think that's a
24 good idea. Mr. Kessler, you could include that in your
25 notice?

1 MR. KESSLER: Yes, we agree with that, thank you.

2 HEARING OFFICER VACCARO: Okay, thank you.

3 Okay, I think with that why don't we go ahead and
4 move to any public -- Mr. Gladden, did you have something
5 that you wanted to add?

6 MR. GALATI: Actually he -- I know exactly what he
7 wants to add because we don't have enough time to notice
8 that through staff, I believe. So I'd ask the Committee to
9 order that workshop and order us to go be productive on the
10 11th after the prehearing conference. That way -- because
11 I'm worried about you being able to get a notice out within
12 ten days.

13 MS. DYER: We could also -- this is Deborah Dyer.
14 We could also have a continuation of tomorrow's workshop.

15 MR. GALATI: Great.

16 HEARING OFFICER VACCARO: Yes. That's exactly, I
17 think, what we had in mind.

18 MR. GALATI: That's why we have Deb with us.
19 Good, thank you, Deb.

20 HEARING OFFICER VACCARO: Okay, thank you.

21 So I think with that why don't we move to public
22 comment since we have a representative of Riverside County
23 here. I don't know if you have a comment that you would
24 like to make or if you are just here to sort of witness the
25 proceedings.

1 MR. EVENSON: I was here for an earlier proceeding
2 and I stayed.

3 HEARING OFFICER VACCARO: Okay, well thank you for
4 being here. Is there anyone on the telephone who would like
5 to make public comment?

6 (No response.)

7 HEARING OFFICER VACCARO: Okay, hearing none I
8 think we all understand what the next steps are in this
9 process so I'll leave any closing comments to the Committee
10 Members if they might have any.

11 PRESIDING MEMBER WEISENMILLER: I certainly want
12 to thank the staff and the applicant for -- as you know, we
13 have obviously been dealing with a crush of other competing
14 projects. Appreciate the activity now to try to move this
15 one along. I certainly encourage people to have more
16 productive workshops in terms of trying to narrow the issues
17 so when we go into the hearings we can take in the evidence
18 and resolve those. Certainly thanks for your time and
19 effort on this.

20 ASSOCIATE MEMBER DOUGLAS: Thank you,
21 Commissioner. And I have very little to add. We'll look
22 forward to seeing you on the 22nd.

23 MR. GALATI: Thank you.

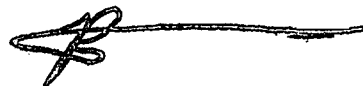
24 (Whereupon, at 2:53 p.m. the
25 Status Conference was adjourned.)

CERTIFICATE OF REPORTER

I, PETER PETTY, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Status Conference; that it was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said conference, nor in any way interested in outcome of said conference.

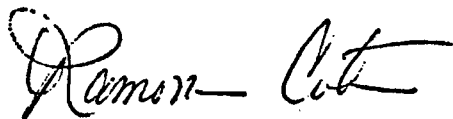
IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of October, 2010.



PETER PETTY, CER**D-493

CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



RAMONA COTA, CERT**478

October 4, 2010