

<b>DOCKET</b>	
<b>05-AFC-2</b>	
DATE	MAY 11 2007
RECD.	MAY 11 2007

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

In the matter of, ) Docket No. 05-AFC-2  
Application for Certification )  
for the Walnut Creek Energy Park )  
\_\_\_\_\_ )

**Energy Commission Staff's Pre-Hearing Conference Statement**

On April 23, 2007, the Committee assigned to this proceeding issued a Notice of Prehearing Conference. In that document, the Committee requested parties to file Prehearing Conference Statements by May 11, 2007. Energy Commission staff hereby files the following in response to the information requested in the Notice.

All topic areas are complete and ready to proceed to evidentiary hearings. Staff has concluded that with the conditions of certification proposed in the Final Staff Assessment, no significant adverse impact on the environment will result from the construction or operation of the Walnut Creek Energy Park and the proposed project will comply with all applicable laws, ordinances, regulations and standards. Staff has not yet received the other parties' testimony and thus cannot conclusively determine if there are any areas subject to dispute. However, staff has worked closely with the applicant and other interested agencies and, based on this, believes that while there will be minor requests for clarification concerning a few conditions of certification, there will not be any significant disputes regarding the Final Staff Assessment or the concomitant Conditions of Certification.

Barring any disputation of staff's testimony by the applicant, or any other party, staff is willing to enter into the record by declaration all of staff's testimony as contained in the Final Staff Assessment. The testimony and the respective authors are identified below:

- Project Description – Jack Caswell
- Air Quality – Joseph Loyer

Proof of Service (Revised 5/1/07) filed with original.  
Mailed from Sacramento on May 4, 2007 *[Signature]*

Biological Resources – Richard York  
Cultural Resources – Dorothy Torres  
Hazardous Materials Management – Rick Tyler  
Land Use – Amanda Stennick  
Noise and Vibration – Shahab Khoshmashrab, P.E.  
Public Health – Obed Odoemelam, PhD  
Socioeconomics – Joseph Diamond, PhD  
Soil and Water Resources – John Kessler, P.E.  
Traffic and Transportation – Mark Hamblin  
Transmission Line Safety and Nuisance – Obed Odoemelam, PhD  
Visual Resources – William Walters, P.E. and David Flores  
Waste Management – Ellie Townsend-Hough  
Worker Safety and Fire Protection – Rick Tyler  
Facility Design – Shahab Khoshmashrab, P.E.  
Geology and Paleontology – Dal Hunter, PhD, C.E.G.  
Power Plant Efficiency – Steve Baker, P.E.  
Power Plant Reliability – Steve Baker, P.E.  
Transmission System Engineering – Sudath Arachchige and Mark Hesters  
Alternatives – Fritts Golden  
General Conditions Including Compliance Monitoring and Closure Plan – Lance Shaw

In the event that the applicant or another party identifies any areas that they dispute, staff reserves the right to augment the testimony and our list of proposed exhibits, which currently consists of the Final Staff Assessment, the South Coast Air Quality Management District's Final Determination of Compliance, and anticipated errata, and request direct and cross examination in those areas in which staff's testimony is disputed.

DATED: May 11, 2007

Respectfully submitted,



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LISA M. DECARLO  
Senior Staff Counsel

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION  
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION  
FOR THE WALNUT CREEK ENERGY PARK  
(WCEP)

DOCKET NO. 05-AFC-2

(Revised 5/1/07)

**INSTRUCTIONS:** All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

**CALIFORNIA ENERGY COMMISSION**

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**INTERESTED AGENCIES**

No agencies to date.

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**DECLARATION OF SERVICE**

I, Julie Mumme, declare that on May 11, 2007, I deposited copies of the Energy Commission Staff's Pre-Hearing Conference Statement in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of the California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

  
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[signature]