

Memorandum

Date: February 14, 2008
Telephone: (916) 654-4679

To: Chairman Jackalyne Pfannenstiel, Presiding Member
Vice Chair James Boyd, Associate Member

From: California Energy Commission – Christopher Meyer
1516 Ninth Street
Sacramento, CA 95814-5512
Project Manager



DOCKET	
07-AFC-4	
DATE	FEB 14 2008
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Subject: **CHULA VISTA ENERGY UPGRADE PROJECT (07-AFC-4) STATUS REPORT 2**

Pursuant to the Committee Scheduling Order dated December 7, 2007, the following is staff's Status Report 2 for the proposed Chula Vista Energy Upgrade Project (CVEUP).

Current Issues and Activities for Resolution

Staff has been working to complete the technical sections for the Preliminary Staff Analysis (PSA) phase of the Application for Certification (AFC) process for the proposed CVEUP. The applicant provided responses to Data Requests #2, 3, 4, 5, and 25 on January 25, 2008. Nonetheless, additional information, including the cumulative modeling analysis, is required by staff to complete the Air Quality section for the PSA. The applicant provided additional information from San Diego Gas and Electric on December 19, 2007 regarding the Transmission Line Engineering data request related to down-stream transmission line impacts and staff confirmed the information with the California Independent System Operator.

The Energy Commission's Land Use staff continues to work on the issue of land use compatibility resulting from recent changes in the City of Chula Vista's general plan for the area. On October 26, 2007 the City of Chula Vista petitioned to intervene in the CVEUP process and the Energy Commission's December 27, 2007 request for agency participation letter has been updated to reflect the city's role as both an interested agency and an intervener. On January 31, 2008, the city provided limited responses to the questions posed by Energy Commission staff in its December 26, 2007 letter regarding the project's conformance with the city LORS. The city has requested additional time to respond definitively to staff's questions on Land Use, Visual Resources, and Traffic and Transportation. Given the timeframe of the AFC process, staff has proceeded with the completion of the PSA sections for these three technical areas and the city will be able to provide additional information and comments at the PSA workshop and/or prior to the filing of the Final Staff Analysis (FSA).

The Environmental Health Coalition (EHC), an intervener in the AFC process, filed 35 data requests with the applicant on January 11, 2008. Although some of the issues were discussed at the January 17, 2008 workshop, the applicant filed data responses to the EHC data requests on February 6, 2008. EHC filed a second set of data requests (Data Requests #36-53) with the applicant on February 13, 2008. Staff is currently reviewing the February 6, 2008 data responses and the February 13, 2008 data requests. In addition to the formal data requests and data responses, the applicant filed a letter to the EHC on January 14, 2008 with responses to comments made by the EHC at the November 29, 2007 Informational Hearing. The EHC filed a rebuttal letter to the applicant's January 14, 2008 letter on February 13, 2008.

The Energy Commission staff is currently reviewing the information and clarifications provided in the letters.

Schedule

Delays in the completion of the Preliminary Decision of Conditions (PDOC) by the San Diego Air Pollution Control District (SDAPCD) have delayed the preparation of the air quality section of the PSA and are impacting the Siting Committee’s proposed schedule. In addition, the unusually heavy workload facing the Energy Commission staff will also impact the schedule. A Data Response and Issue Resolution Workshop was conducted on January 17, 2008 to address the applicant’s responses to the Energy Commission’s data requests and to afford the public and interested agencies an opportunity to comment on the data responses. Assuming receipt of the PDOC by February 22, 2008, staff anticipates filing the PSA on March 25, 2008 and plans to hold the PSA workshop in early April.

The following table summarizes the currently proposed schedule.

**Initial Proposed Schedule
 Chula Vista Energy Upgrade Project**

Projected Schedule	Event
September 26, 2007	AFC data adequate
November 29, 2007	Informational Hearing and Site Visit
November 7, 2007	Staff transmits Data Request Set 1
December 7, 2007	Applicant provides Data Responses – Set 1
December 19, 2007	Applicant provides supplemental Data Response (#42)
December 21, 2007	Parties file Status Report 1
January 17, 2008	Data Response and Issue Resolution Workshop 1
February 22, 2008	Local, state and federal agency draft determinations and Air District PDOC
March 25, 2008	Staff files Preliminary Staff Assessment (PSA)
April 3, 2008	PSA Workshop
May 2, 2008	Local, state and federal agency final determinations and Air District FDOC
May 23, 2008	Staff files Final Staff Assessment (FSA)

(Shaded events have already taken place)

cc: Docket (07-AFC-4)
 Proof of Service List