

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:)
)
Application for Certification for the Ivanpah Solar)
Electric Generating System)
)
)
_____)

Docket No. 07-AFC-5

DOCKET	
07-AFC-5	
DATE	<u>OCT 28 2008</u>
RECD.	<u>OCT 28 2008</u>

COMPILATION OF COMPROMISE SCHEDULES

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As discussed at the October 27, 2008, Committee Scheduling Conference, the Applicant hereby files a table summarizing the various parties' proposed schedules for this proceeding.

The attached table includes four columns with the following compilation of information: (1) the permitting milestones; (2) the Applicant's Compromise Schedule of October 14, 2008; (3) the Staff's Compromise Schedule of October 27, 2008; and (4) Applicant's Response to Staff's Compromise Schedule of October 27, 2008. The dates in item (4), "Applicant's Response to Staff's Compromise Schedule of October 27, 2008" have been adjusted from the oral presentation of October 27, 2008 to avoid weekends and Holidays.

Counsel for Applicant was tempted to slightly shorten several dates to have the process end in early August 2009, instead of early September; however, given the cooperative spirit of the parties in looking for solutions to the efficient integration of the schedules, given that a fourth compromise schedule seems excessively complex, and given that the Committee's patience is appreciated, we have not sought the additional time savings for an early August decision in the attached. The Committee and all parties are clear that a decision during the Summer of 2009 remains extremely important to allow this, the first major solar power plant in California in twenty years, to move forward on a timely basis and contribute to California's Renewables Portfolio Standard (RPS) program, which was intended to achieve 20% delivered renewable energy by 2010. Flexible compliance under the RPS program will allow the power from this project to contribute towards the goal, but every delay places the RPS program further behind this state policy goal.

As set forth in the Applicant's response of October 27th, the Applicant sees tremendous value and potentially significant time savings from the publication of a Preliminary Staff Assessment ("PSA"), in whole or in part, in November, with PSA workshops in December 2008. We believe that this publication date will allow many of the minor issues to be resolved to the satisfaction of all parties. Effectively taking these issues off the table through December workshops will narrow the scope of issues, saving time and Staff resources.

Further, the issuance of the PSA in November with December workshops will allow the BLM to begin preparing for its internal review processes necessary for a timely publication of a Notice of Availability ("NOA") of the Draft EIS / FSA. Again, by resolving issues and narrowing concerns through the PSA workshop process, it is reasonable to expect that the NOA process can be similarly efficient.

In terms of substantive issues, the Biological Resources issues would be ripe for the December workshops, enabling timely issuance of the Final Staff Assessment and BLM's NOA . Based on the discussions in the Scheduling Conference, it is reasonable to expect that the Biological Assessment will be available for discussion in December. (If, regrettably, the agencies are still discussing these issues, the PSA workshops would provide an excellent public forum for working through final details.) In either instance,

the Biological Resources issues should be ripe for consideration in the PSA workshops. If the early December window for workshops is missed, downtime during the holiday season will unnecessarily add a month's delay to the schedule.

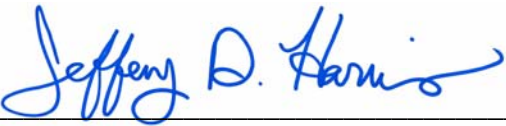
Applicant recognizes that its schedule will require concentrated effort, but believes not only that the schedule is feasible and manageable; it is what is required to demonstrate that California is serious about its RPS program and to doing what is necessary to achieve its goals. On Friday, October 31st, it will be exactly one year since the application was determined data adequate. The CEC must take this opportunity to let the solar industry know that it can successfully and timely develop projects in California and that it need not direct its limited resources, in this economic climate, to other areas.

As we all agree, the schedule for this proceeding will move no faster than the dates set forth in the Committee's order. In light of this truism, Applicant hopes that the Committee will adopt an aggressive, yet reasonable schedule.

October 28, 2008

Respectfully submitted,

ELLISON, SCHNEIDER & HARRIS L.L.P.

By  _____

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**APPLICANT AND STAFF'S
COMPROMISE SCHEDULES
Ivanpah SEGS**

EVENT	Applicant's Compromise Schedule October 14, 2008	Staff's Compromise Schedule October 27, 2008	Applicant's Response of October 27, 2008
Staff Identifies Remaining Information Requests	Record of Conversation Pending		
Biological Assessment Submitted for Consultation	Expected on or about 10-14-08		
Preliminary Staff Assessment ("PSA") issued	11-14-08	12-15	11-14-08
PSA Workshops	12-1-08	1-4-09	12-15-08
Final Staff Assessment ("FSA") issued	1-15-09: Joint Document; One cover	3-3-09	2-2-09
<i>BLM Notice of Availability ("NOA") of the Draft Environmental Impact Statement ("DEIS") published in Federal Register; starts 90-day comment period</i>	<i>1-15-09: Joint document; one cover</i>	3-3-09	2-2-09
Prehearing Conference	1-29-09	3-17-09	2-16-09
Evidentiary Hearings	2-12-09	3-29-09	3-2-09
Biological Opinion issued	2-26-09: 135 days after initiation		
BLM DEIS 90-day comment period concludes	4-15-09; start review of NOA for FEIS	6-1-09	5-1-09
PMPD issued	4-15-09	6-22-09	5-15-09
Hearing on PMPD	4-27-09	7-12-09	5-29-09
Comment period on PMPD concludes	5-15-09	7-22-09	6-15-09
<i>BLM NOA of the FEIS published in Federal Register</i>	<i>5-15-09; BLM-only document, bundling</i>	10-2-09	6-30-09

EVENT	Applicant's Compromise Schedule October 14, 2008	Staff's Compromise Schedule October 27, 2008	Applicant's Response of October 27, 2008
	<i>FSA/DEIS, response to comments, and PMPD</i>		
Governor's Consistency Review period begins ¹	Begins concurrent with NOA of FEIS targeted for 5-15-09	10-3-09	6-30-09
30-day protest period for FEIS	Begins concurrent with NOA of FEIS targeted for 5-15-09; concludes 6-15-09	11-3-09	7-30-09
CEC Decision	Business Meeting on 5-20-09	11-5-09	9-2-09
Governor's Consistency Review period concluded	No later than date that is 60 days after NOA of FEIS (7-14-09); however, Governor may act in less than 60 days	12-2-09	No later than 8-31-09
BLM ROD issued	30 days after NOA of FEIS (6-15-09), or Governor's Consistency Review (7-14-09), whichever is later	11-3-09	9-3-09
BLM issuance of ROW grant and RMP Amendment as "Full Force and Effect"	Concurrent with the ROD	11-3-09	9-3-09

¹ The BLM process provides up to a 60-day review period to the Governor of the state in which the RMP (amendment) is being proposed to ensure consistency with state and local plans, policies, and programs. (43 CFR 1610.3-2.)

EVENT	Applicant's Compromise Schedule October 14, 2008	Staff's Compromise Schedule October 27, 2008	Applicant's Response of October 27, 2008
Construction Allowed to Begin At Risk	June 2009, or as soon as Governor's Consistency Review ends and BLM can thereafter issue ROD and ROW grant	12-2-09	9-3-09

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PROOF OF SERVICE

I, Karen A. Mitchell, declare that on October 28, 2008, I served the attached *Compilation of Compromise Schedules* via electronic mail to all parties on the attached service list.

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



Karen A. Mitchell

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07-AFC-5

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