

DOCKET

08-AFC-6

DATE APR 30 2009

RECD. APR 30 2009

State of California

The Resources Agency of California

Memorandum

To: Commissioner Karen Douglas, Presiding Member
Commissioner James D. Boyd, Associate Member

Date : April 30, 2009
Telephone (916) 654-4640

From : California Energy Commission – Felicia Miller
1516 Ninth Street
Sacramento CA 95814-5512
Project Manager



Subject: Willow Pass Generating Station Project (08-AFC-6) STATUS REPORT 2

Pursuant to the Committee Scheduling Order dated December 31, 2008, the following is staff's Status Report 2 for the proposed Willow Pass Generating Station (WPGS).

Current Issues and Activities for Resolution

On April 2, 2009, the project was reassigned from Ivor Benci-Woodward to Felicia Miller as Project Manager. Some scheduling delays, including this late status report, were incurred in order for the new project manager to interview staff and become familiarized with the project.

Staff filed Set 2 data requests on April 28, 2009, in the areas of Biological Resources, Socioeconomics, Soil and Water Resources, Transmission System Engineering (TSE), and Waste Management. Written responses to these data requests are due to the Energy Commission on or before May 28, 2009.

These data requests were issued despite the 180-day discovery window and were asked for good cause and to formalize the process. The TSE questions were posed as clarifications to Data Requests Set 1, and because of recent filings that occurred in February 2009. The Biological Resources question was raised due to outside agency involvement with US Fish and Wildlife Service's interest in nitrogen deposition impacts, if any, on sensitive species in the Antioch Dunes National Wildlife Refuge.

Discovery and Analysis

The Bay Area Air Quality Management District's (BAAQMD) Preliminary Determination of Compliance has not yet been released for the project, but staff anticipated release of the PDOC by May 1, 2009. Staff will complete the air quality analysis of the PSA as soon as soon as possible after the PDOC is released, but as the Committee knows, staff can not submit the air quality analysis of the PSA absent the PDOC.

Staff has scheduled meetings with US Fish and Wildlife Service and CA Department of Fish and Game in early May to discuss the potential for nitrogen deposition impacts on from this project.

Schedule

A recommendation addressing regarding a revised schedule will be addressed in the next status report due in June, after staff has had an opportunity to review the applicant's responses to the second round of data requests.

PROOF OF SERVICE (REVISED 4/14/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 4/30/09

TG



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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APPLICATION FOR CERTIFICATION
**FOR THE WILLOW PASS
GENERATING STATION**

Docket No. 08-AFC-6

PROOF OF SERVICE
(Revised 4/14/2009)

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DECLARATION OF SERVICE

I, Teraja` Golston, declare that on April 30, 2009, I served and filed copies of the attached Willow Pass Generating Station (08-AFC-6), CEC's Status Report #2. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[<http://www.energy.ca.gov/sitingcases/willowpass/index.html>]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (**preferred method**);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-6
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I declare under penalty of perjury that the foregoing is true and correct.

Original signed by _____
Teraja` Golston