

**Memorandum**

Date: May 29, 2009  
 Telephone: (916) 654-4894

To: Chairman Jeffrey D. Byron, Presiding Member  
 Vice Chairman Arthur H. Rosenfeld, Associate Member  
 Hearing Officer, Raoul Renaud

<b>DOCKET</b>	
<b>08-AFC-11</b>	
DATE	<u>05/29/09</u>
RECD.	<u>05/29/09</u>

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

Subject: **CPV VACA STATION PROJECT (08-AFC-11) STATUS REPORT 2**

Staff submits the following Status Report for the proposed CPV Vaca Station Project (CPVVS), pursuant to the Committee Scheduling Order dated March 23, 2009.

**Current Issues and Activities for Resolution**

Staff has been working through the discovery and analysis phase of the proposed CPVVS project Application for Certification (AFC). Staff has issued two sets of data requests and conducted a data response and issue resolution workshop on March 12, 2009. Staff prepared the second set of data requests (#s 54-67) in the areas of noise, visual resources, and transmission system engineering, which were submitted to the applicant on May 7, 2009.

Staff is also preparing a third set of data requests in the areas of biological resources, soils and water resources, and visual resources and plans to submit these by June 1, 2009. In addition, staff anticipates receiving the applicant's responses to data request set 2 (#s-54-67) in early June. Staff is still waiting on information from the applicant stemming from to inquiries and discussions from the March 12, 2009 data response and issue resolution workshop. Staff and CPV Vacaville, LLC continue to work towards resolution of issues and acquisition of air quality information.

**Background**

Staff would like to clarify the previous air quality information discussed in status report 1 (April 30, 2009). The information should have stated that the applicant is not close to finalizing their offset package with the Yolo-Solano Air Quality Management District (YSAQMD).

In accordance with the Energy Commission's schedule for the project and District Rule 418, et seq., the YSAQMD was slated to issue a Preliminary Determination of Compliance (PDOC) on May 9, 2009. One of the reasons the PDOC was not issued is because the applicant has not been able to identify a detailed offset plan that identifies the specific owners, quantities, and locations of the offsets for the project. The applicant continues to work with the YSAQMD staff with hopes of submitting a viable offset plan. Given the need to provide this key item to the YSAQMD, the applicant has now asked for an extension on the issuance of the PDOC for two months, until July 9, 2009.

In discussing the situation with the YSAQMD staff, concerns were raised over how long it may take to complete the review of the applicant's information once it is received, and what the applicant will be submitting in the way of offsets. And at this moment, the YSAQMD staff has no date for an expected decision on an offset package once it comes in or a proposed date for issuance of the PDOC. During the week of June 8, 2009 staff will check with the applicant as to the status of their formal offset proposal to the YSAQMD and the CEC.

System Impact Study (Data Request No. 47)

The applicant requested an extension of the supplemental information needed to complete the system impact study. Staff was anticipating the information on May 15, 2009.

Transmission System Engineering (Data Request Nos. 58-60)

The applicant has requested a 30-day extension for Data Request Nos. 58-60 in order to prepare the requested transmission line diagram.

Noise Study (Data Requests Nos. 54-57)

The applicant has requested a 30-day extension for Data Request No. 58-60 to perform the requested noise monitoring and analysis.

Schedule

Despite the uncertainty of the PDOC release date, staff will continue to work on the Preliminary Staff Assessment, with the goal of meeting the publication date of August 15, 2009.



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

**APPLICATION FOR CERTIFICATION  
FOR THE CPV VACA STATION  
BY THE CPV VACAVILLE, L.L.C.**

**Docket No. 08-AFC-11**

**PROOF OF SERVICE**

(Established 2/18/2009)

**APPLICANT**

Andrew Welch - Vice President  
Competitive Power Ventures, Inc.  
8403 Colesville Road, Suite 915  
Silver Spring, MD 20910  
[awelch@cpv.com](mailto:awelch@cpv.com)

**APPLICANT CONSULTANT**

Douglas M. Davy - Program Manager  
CH2MHill  
2485 Natomas Park Drive, Suite 600  
Sacramento, CA 95833  
[ddavy@ch2m.com](mailto:ddavy@ch2m.com)

**COUNSEL FOR APPLICANT**

Michael J. Carroll  
LATHAM & WATKINS LLP  
650 Town Center Drive, 20th Floor  
Costa Mesa, CA 92626-1925  
[michael.carroll@lw.com](mailto:michael.carroll@lw.com)

**INTERESTED AGENCIES**

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

**ENERGY COMMISSION**

JEFFREY D. BYRON  
Commissioner and Presiding Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

ARTHUR H. ROSENFELD  
Commissioner and Associate Member  
[arosenfe@energy.state.ca.us](mailto:arosenfe@energy.state.ca.us)

Raoul Renaud  
Hearing Officer  
[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)

Rod Jones  
Project Manager  
[rjones@energy.state.ca.us](mailto:rjones@energy.state.ca.us)

Deborah Dyer  
Staff Counsel  
[ddyer@energy.state.ca.us](mailto:ddyer@energy.state.ca.us)

Melanie Moultry  
Staff Counsel  
[mmoultry@energy.state.ca.us](mailto:mmoultry@energy.state.ca.us)

Loreen McMahan  
Public Adviser  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, Maria Santourdjian, declare that on May 29, 2009, I served and filed copies of the attached CPV Vaca Station (08-AFC-11) 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/vacastation/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, California 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-11

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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

Original Signature in Dockets  
**Maria Santourdjian**