



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

APPLICATION FOR CERTIFICATION
FOR THE *TESLA POWER PROJECT* BY *PG&E*

DOCKET No. 01-AFC-21C

CERTIFIED 6/16/04

POST-HEARING BRIEFING SCHEDULE

On July 20, 2009, the Siting Committee conducted an evidentiary hearing on PG&E's request for a 5-year extension of the Tesla Power Plant license. At the hearing, the Committee directed the parties to file post-hearing briefs by August 3, 2009. This schedule confirms the briefing deadline and specifies the issues that should be addressed in the briefs.

The parties shall file post-hearing briefs no later than 5 p.m. on Monday, August 3, 2009. All individuals and entities listed on the Proof of Service list, governmental agencies, and members of the public are welcome to file briefs and/or comments no later than August 3, 2009, and to present oral comments at the full Commission hearing on this matter, which is scheduled on Wednesday, September 9, 2009.

The post hearing briefs shall address the following issues:

1. Section 1720.3 of the Commission's regulations sets a 5-year deadline for the "commencement of construction," but it does not establish a limit on the extension timeframe. When a project owner requests a license extension under section 1720.3, what is a reasonable time to extend a license? Could the Commission grant an extension for 5 years, 10 years, 20 years?
2. If PG&E's position on section 1720.3 is correct, the license would not expire even if construction did not commence within 5 years unless the Commission acted affirmatively to terminate the license. What are the implications of allowing certification to last in perpetuity?

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3. PG&E has identified the reasons for requesting the license extension. What general factors should the Commission consider in determining “good cause” for a license extension?
4. If a project owner applies for another license extension when an existing extension expires, when should the request be filed and what time period would be appropriate for a second extension?
5. If the Commission decides to grant PG&E’s request for an extension of the Tesla Power Plant license, what conditions should be attached to such an order?
6. Any other issues that the parties believe were not adequately addressed at the evidentiary hearing.

Dated July 21, 2009, at Sacramento, California.

Original signed by: _____
GARY FAY
Chief Hearing Officer



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DECLARATION OF SERVICE

I, Maggie Read, declare that on July 21, 2009, I served and filed copies of the attached Post-Hearing Briefing Schedule, dated July 21, 2009. 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: [\[www.energy.ca.gov/sitingcases/tesla\]](http://www.energy.ca.gov/sitingcases/tesla).

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:

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CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 01-AFC-21C

1516 Ninth Street, MS-4

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

Original signed by:
Maggie Read