

**STATE OF CALIFORNIA  
California Energy Commission**

**DOCKET**

**08-AFC-12**

DATE SEP 25 2009

RECD SEP 25 2009

In the Matter of:

The Application for Certification for the San  
Joaquin Solar 1 and 2 Hybrid Power Plant  
Project

Docket No. 08-AFC-12

**CALIFORNIA UNIONS FOR RELIABLE ENERGY  
STATUS REPORT NUMBER THREE**

September 25, 2009

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UNIONS FOR RELIABLE ENERGY

California Unions for Reliable Energy ("CURE") submits this status report, pursuant to the Committee's May 7, 2009 Scheduling Order.

On August 24, 2009, CURE submitted a fourth set of data requests seeking information concerning the environmental baseline for an analysis of the Project's significant impacts on agriculture, impacts from heat transfer fluid spills, fire risks, and soil contamination, impacts to biological resources, mitigation for such impacts, and compliance with LORS, including the Clean Water Act and the Federal Endangered Species Act. On September 14, 2009, the Applicant submitted voluminous, sometimes inexplicable, objections to CURE's fourth set of data requests. For example, although the AFC stated that the Project will require a Section 404 permit from the U.S. Army Corps of Engineers, it refused to identify the component of the Project triggering that requirement.

On September 23, 2009, the Applicant responded to some of CURE's data requests. CURE is currently evaluating the Applicant's objections and responses and the need to petition the Committee for an order directing the Applicant to respond to CURE's fourth set of data requests.

On September 4, 2009, CURE submitted a fifth set of data requests seeking information concerning the Project's air quality, public health, and groundwater impacts, water and biomass supply requirements, mitigation for worker exposure to pesticide contamination at the Project site, among other significant impacts, and alternatives. The Applicant submitted objections on September 24, 2009 indicating that it will submit responses to some of CURE's data requests on or before

October 5, 2009. Again inexplicably, the Applicant objected to providing information regarding nitrous oxide and methane emissions from the Project, both of which are potent greenhouse gases; the Applicant refused to provide a discussion of potential mitigation for the Project's significant mobile source emissions; and the Applicant objected to all requests for information supporting the Applicant's analysis of impacts to water resources, among others. CURE will evaluate the objections and forthcoming responses and the need to petition the Committee for an order directing Applicant to respond to CURE's fifth set of data requests.

On September 16, 2009, CURE served a petition to compel production of information in response to two data requests. CURE is working as expeditiously as possible to gather basic information regarding the Project's significant impacts.

Dated: September 25, 2009

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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**STATE OF CALIFORNIA**

**Energy Resources Conservation  
and Development Commission**

In the Matter of:

The Application for Certification for the  
San Joaquin Solar 1 and 2 Hybrid Power  
Plant Project

Docket No. 08-AFC-12

**DECLARATION OF SERVICE**

I, David Weber, declare that on September 25, 2009, I served and filed copies of the attached **CALIFORNIA UNIONS FOR RELIABLE ENERGY DATA REQUESTS, SET THREE**. 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/sjsolar/SJSOLAR\\_POS.PDF](http://www.energy.ca.gov/sitingcases/sjsolar/SJSOLAR_POS.PDF). The document has been sent (1) electronically, and (2) via US Mail by depositing in the US Mail at South San Francisco, CA, with first-class postage thereon full prepaid and addressed as provided on the attached Proof of Service list to those addresses NOT marked "email preferred." It was sent for filing to the Energy Commission by sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address shown on the attached Proof of Service list.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed at South San Francisco, California, on September 25, 2009.

\_\_\_\_\_/s/\_\_\_\_\_  
David Weber

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