Memorandum

Date: October 8, 2009 Telephone: (916) 654-4894

- To: Jeffrey D. Byron, Presiding Member Arthur H. Rosenfeld, Associate Member Hearing Officer, Raoul Renaud
- From: California Energy Commission Rod Jones 1516 Ninth Street Project Manager Sacramento, CA 95814-5512

Subject: CPV VACA STATION PROJECT (08-AFC-11) STATUS REPORT 5

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

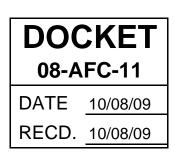
Current Issues and Activities for Resolution

On July 31, 2009, staff received the applicant's responses to data requests set 3 (#68 -96), and is using the responses information to prepare the Preliminary Staff Assessment (PSA). On September 9, 2009 staff received the System Impact Study (SIS) prepared by Navigant Consulting for CPV Vacaville, LLC (CPVV). After reviewing the document, staff determined that additional information is needed to fully analyze the project's proposed transmission lines, and has asked CPVV for the California Independent System Operator Transition Cluster Phase I Interconnection Study Report. This information is needed by staff in order to complete the transmission system section of the PSA.

On September 30th, CPVV requested its fourth extension (one-month) to accommodate receipt of the preliminary determination of compliance (PDOC) that is being prepared by the Yolo-Solano Air Quality Management District (YSAQMD). Staff needs the PDOC in order to fully assess the proposed air quality offset emissions of the project, to evaluate the applicant's proposed mitigation package and to complete the air quality preliminary staff assessment. CPVV has also revised its initial offset plan which relied on the use of volatile organic compounds (VOC) offsets in lieu of nitrogen dioxide (NO_x) offsets to meet the YSAQMD's offset requirements. As a result of the modified offset plant, both the U.S. Environmental Protection Agency and YSAQMD are requesting additional information regarding the interpollutant offset trade ratio.

<u>Schedule</u>

The following PSA sections are still outstanding: biology, cultural resources, land use, waste management, traffic and transportation, cultural resources, transmission system design, visual resources, and soils and water resources, which staff hopes to complete by the week of October 26th. Given this scenario, coupled with staff's heavy workload and furloughs, early November is a realistic date for publishing the PSA if staff receives the PDOC by mid-October. Staff is now working towards the following schedule for the CPVV Project:



REVISED SCHEDULE CPV VACA STATION POWER PLANT PROJECT 08-AFC-11

Date	Events or Filings
1/28/09	AFC Data Adequate
3/12/09	Informational Hearing and Site Visit
3/5/09	Staff transmits Data Request, Set 1
4/6/09	Applicant provides Data Responses, Set 1
4/20/09	Local, state and federal agency draft determinations
4/22/09	Data Response and Issue Resolution Workshop 1
4/27/09	Parties file Status Report, No. 1
5/4/09	Staff transmits Data Request, Set 2
6/8/09	Staff transmits Data Request, Set 3 Parties file Status Report, No. 2
6/10/09	YSAQMD Makes determination on ERC package
7/9/09	Parties file Status Report, No. 3
Late July	Applicant Provides Data Responses, Set 2 and Set 3
8/17/09	Parties file Status Report No. 4
10/8/09	Parties file Status Report, No. 5
October	YSAQMD files PDOC
December	Local, state, and federal agency determinations and Air District FDOC
November	Staff Files Preliminary Staff Assessment
TBD	PSA workshop
12/30/09	Staff files Final Staff Assessment (FSA)
TBD	Evidentiary hearings
TBD	Committee issues Proposed Decision (PMPD)
TBD	Adoption Hearing on the PMPD
TBD	Committee files revised PMPD
TBD	Committee issues Final Determination

TBD = To Be Determined

Shaded items have been completed



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA 1516 NINTH STREET, SACRAMENTO, CA 95814 1-800-822-6228 – <u>WWW.ENERGY.CA.GOV</u>

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

APPLICANT CONSULTANT

Douglas M. Davy - Program Manager CH2MHill 2485 Natomas Park Drive, Suite 600 Sacramento, CA 95833 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

INTERESTED AGENCIES

California ISO <u>e-recipient@caiso.com</u>

INTERVENORS

ENERGY COMMISSION

JEFFREY D. BYRON Commissioner and Presiding Member jbyron@energy.state.ca.us

ARTHUR H. ROSENFELD Commissioner and Associate Member arosenfe@energy.state.ca.us

Raoul Renaud Hearing Officer rrenaud@energy.state.ca.us

Rod Jones Project Manager rjones@energy.state.ca.us

Deborah Dyer Staff Counsel ddyer@energy.state.ca.us

Melanie Moultry Staff Counsel <u>mmoultry@energy.state.ca.us</u>

Loreen McMahon Public Adviser <u>publicadviser@energy.state.ca.us</u>

DECLARATION OF SERVICE

I, <u>Maria Santourdjian</u>, declare that on <u>October 8, 2009</u>, I served and filed copies of the attached <u>CPV Vaca Station (08-AFC-11) Status Report 5</u>. 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 <u>Sacramento</u>, <u>California</u> 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

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

Original Signature in Dockets Maria Santourdjian