

Memorandum

Date: October 29, 2009
Telephone: (916) 654-4781
File: 09-AFC-3

To: Commissioner Julia Levin, Presiding Member
 Commissioner Jeffrey Byron, Associate Member

From: California Energy Commission - Craig Hoffman
 1516 Ninth Street Siting Project Manager
 Sacramento, CA 95814-5512

Subject: Mariposa Energy Project (09-AFC-3)
 Eighteen (18) Month Schedule

DOCKET	
09-AFC-03	
DATE	<u>OCT 29 2009</u>
RECD.	<u>OCT 30 2009</u>

Based upon direction from the Mariposa AFC Committee, staff met with the Mariposa project applicant team on October 28, 2009 and discussed their scheduling concerns. Based upon this discussion, a project schedule was developed and is included on the following page.

The Mariposa applicant team is aware of the current heavy workload issues in the Siting, Transmission and Environmental Protection Division, the Governor's Executive Order on renewable projects and the impact three furlough days a month has on staff resources.

Staff has prepared an abbreviated project schedule based upon the issuance of data requests, the understanding that the applicant will submit complete and timely data responses on November 30, 2009 and a data response workshop and issue identification workshop to be scheduled for December 15, 2009.

Staff proposes to provide the Mariposa Committee a project status update on December 22, 2009 after a data response and issue identification work shop has been held. At this time staff will have an understanding what issues may need to be resolved, what comments local, state and federal agencies might have and what timing issues the project will face.

Staff is requesting that the Mariposa Committee issue the attached project schedule and then revisit the project schedule in January 2010 when we should be able to provide a more accurate indication of a feasible schedule for the remainder of the proceeding.

Attachment

cc: Proof of Service List
 Docket 09-AFC-3

PROOF OF SERVICE (REVISED 9/15/09) FILED WITH
 ORIGINAL MAILED FROM SACRAMENTO ON 10/30/09
 MF

ATTACHMENT
STAFF'S PROPOSED SCHEDULE – Mariposa Energy Project - (09-AFC-3)

	ACTIVITY	DATE
1	Applicant files Application for Certification (AFC)	6/15/09
2	Commission's determination that AFC is complete	8/26/09
3	Staff files Issues Identification Report	9/21/09
4	Informational Hearing and Site Visit	10/1/09
5a	Staff Files Data Requests Set 1A	10/23/09
5b	Staff Files Data Requests Set 1B	10/28/09
6	Applicant provides data responses	11/30/09
7	Data response and issue resolution workshop	12/15/09
8	Staff files Project Status Report on project schedule and key timing issues.	12/22/09
9	Local, state and federal agency draft determinations AQMD files PDOC	12/24/09
10	<i>Mariposa Committee conference to discuss project schedule and options for project .¹</i>	<i>Mid Jan. 2010</i>
11	<i>Mariposa Committee files scheduling order based upon staff status report and scheduling conference.</i>	<i>Late Jan 2010</i>
12	Local, state and federal agency final determinations AQMD files FDOC	2/22/10
13	Staff files Preliminary Staff Assessment (PSA) ²	TBD
14	PSA workshop ²	TBD
15	Staff files Final Staff Assessment (FSA) ²	TBD
16	FSA workshop ²	TBD
17	Prehearing Conference ³	TBD
18	Evidentiary hearings ³	TBD
19	Presiding Members Proposed Decision (PMPD) ³	TBD
20	Committee Hearing on PMPD ³	TBD
21	Close of public comment period on PMPD ³	TBD
22	Addendum/Revised PMPD ³	TBD
23	Energy Commission Decision ³	TBD

¹ Staff recommends that the Mariposa Committee hold a scheduling conference to discuss processing and scheduling options.

² The schedule will depend upon the completeness of data responses, agency responses, and resolution of project issues and concerns. The project timeline could face delays due to the heavy workload in the Siting, Transmission and Environmental Protection Division, the Governors Executive Order on renewable projects and also due to three furlough days a month for the Commission and most other state agencies through June 2010.

³ The assigned Committee will determine this part of the schedule
 October 29, 2009

Committee Order

TO THE PARTIES:

After serious deliberation, the Mariposa AFC Committee has determined that the 12-month schedule is infeasible given the current backlog of Staff's analyses. Therefore, the parties are Ordered to confer on an 18-month schedule and provide a draft schedule to the Hearing Advisor by Friday, October 30, 2009. Upon receipt of the draft schedule, the Committee will issue a scheduling order.

Kenneth D. Celli
Hearing Advisor II
California Energy Commission
Hearing Office
1516 9th Street, MS 9
Sacramento CA 95814-5512
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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 *MARIPOSA ENERGY PROJECT*
(MEP)**

Docket No. 09-AFC-3

PROOF OF SERVICE
(Established 9/15/09)

APPLICANT

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INTERESTED AGENCIES

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INTERVENORS

ENERGY COMMISSION

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DECLARATION OF SERVICE

I, Mineka Foggie, declare that on October 30, 2009, I served and filed copies of the attached Eighteen (18) Month Schedule dated October 29, 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:

<http://www.energy.ca.gov/sitingcases/mariposa/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:

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

 x 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:

 x **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. 09-AFC-3
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.

Originally Signed By _____
Mineka Foggie