



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
ABENGOA MOJAVE SOLAR PROJECT

DOCKET No. 09-AFC-5

COMMITTEE SCHEDULING ORDER

On October 21, 2009, the Application for Certification (AFC) was deemed data adequate for the twelve-month review process prescribed in Public Resources Code, section 25540.6. The Committee conducted a public Informational Hearing on December 9, 2009, to discuss the schedule and other issues of concern. The attached Committee Schedule is based upon Staff's proposed schedule and the related discussion at the Informational Hearing.

The attached Committee Schedule provides dates for the period through the Staff Assessment workshop and formulas for the time intervals between subsequent events. We encourage the parties to consider this schedule an outer boundary and make their best efforts to complete the milestones ahead of these dates. Depending on the readiness for hearing, degree of controversy, and number of contested issues, the intervals following the Staff Assessment workshop may be compressed or lengthened. That determination will likely be made during the Prehearing Conference scheduled shortly after the workshop.

We may modify the schedule at any time upon either our own motion or that of a party. [Cal. Code Regs., tit. 20, § 1709.7(c).] The schedule includes periodic status reports to determine whether case development is progressing satisfactorily, and to bring potential schedule delays or other relevant matters to our attention. We invite the parties to use those status reports to keep us particularly apprised of the above factors that will inform our setting of the schedule following the Staff Assessment Workshop.

The parties are directed to review and comply with the Filing and Electronic Documents directives contained in **Attachment A**.

Public Adviser and Public Participation

The Energy Commission's Public Adviser's Office is available to assist the public in participating in the AFC review process. For information on how to participate, please contact the Public Adviser's Office at (916) 654-4489 or, 800-822-6228 or e-mail: publicadviser@energy.state.ca.us.

DOCKET	
09-AFC-5	
DATE	DEC 17 2009
RECD.	DEC 17 2009

Contact Information

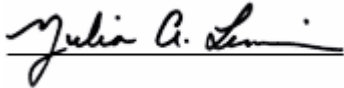
Questions of a legal or procedural nature should be directed to Paul Kramer, the Hearing Officer, at (916) 654-5103 or e-mail: [\[pkramer@energy.state.ca.us\]](mailto:pkramer@energy.state.ca.us).

Technical questions concerning the Project should be addressed to Craig Hoffman, the Staff Project Manager, at (916) 654-4781, or by e-mail: [\[choffman@energy.state.ca.us\]](mailto:choffman@energy.state.ca.us).

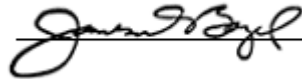
Media inquiries should be directed to the Energy Commission's Office of Media and Communications at (916) 654-4989 or e-mail: [\[mediaoffice@energy.state.ca.us\]](mailto:mediaoffice@energy.state.ca.us).

Information concerning the status of the project, as well as notices and other relevant documents, including the AFC, may be viewed on the Energy Commission's Internet web page at: [\[www.energy.ca.gov/sitingcases/abengoa\]](http://www.energy.ca.gov/sitingcases/abengoa). You may also subscribe to receive e-mail notification of all notices at [\[www.energy.ca.gov/listservers\]](http://www.energy.ca.gov/listservers).

Dated: December 17, 2009, at Sacramento, California.



JULIA LEVIN
Commissioner and Presiding Member
Abengoa Mojave AFC Committee



JAMES D. BOYD
Vice Chair and Associate Member
Abengoa Mojave AFC Committee

COMMITTEE SCHEDULE
FOR THE
ABENGOA MOJAVE SOLAR PROJECT
(09-AFC-5)

<i>DATE</i>	<i>EVENT</i>
October 21, 2009	AFC Data Adequate
November 25, 2009	Applicant provides Data Responses
December 8, 2009	Data Response and Issue Resolution Workshop
December 9, 2009	Site Visit and Informational Hearing
December 24, 2009	Applicant provides additional data responses
January 21, 2010	Local, State, and Federal Agency Draft Determinations, including Air District's Preliminary Determination of Compliance (PDOC) filed
January 6, 2010 and every four (4) weeks thereafter until the SA is filed	Parties file Status Reports
March 4, 2010	Staff publishes Staff Assessment (SA)
March 22, 2010	Local, State, and Federal Agency Final Comments and Determinations, including Air District's Final DOC filed
March 23, 2010	Staff conducts SA workshop
SA workshop + 1 week	Applicant's opening testimony filed and served
SA workshop + 1 week	Parties file Prehearing Conference Statements identifying expected contested issues and discussing readiness for hearings
SA workshop + 2 weeks	Prehearing Conference (PHC)
To be determined	Staff publishes Staff Assessment Addendum(SAA)
SA workshop + 4 weeks	Staff and other parties file and serve opening testimony (other than SA/SSA) and Prehearing Statements identifying witnesses and expected cross-examination; Applicant files Prehearing Statement
SA workshop + 5 weeks	All parties file rebuttal testimony and any Prehearing Statement modifications made necessary by testimony filed the previous week
SA workshop + 5 weeks	Second Prehearing Conference (if necessary—it may instead be held on the same day, just before, the Evidentiary Hearings, below, or eliminated entirely)
SA workshop + 6 weeks	Evidentiary Hearings
3 weeks after Evidentiary Hearings close	Post Hearing Briefs filed*
6 - 8 weeks after Evidentiary Hearings close	Presiding Member's Proposed Decision (PMPD) issued for 30-day comment period
Approx. 25 days after PMPD issued	PMPD comment hearing
35 days after PMPD issued	Revised PMPD issued* for 15-day (30 days if significant environmental information added) review period*
To be determined	Energy Commission Final Decision Adoption Hearing

* if necessary

Issued: December 17, 2009

ATTACHMENT A
FILING AND ELECTRONIC DOCUMENT DIRECTIVES

Saving paper. Energy Commission regulations, California Code of Regulations, title 20, section 1210 require, in addition to any electronic service, that a paper copy be delivered in person or by first class mail except where a party requests to receive an electronic copy when one is available. Individuals and groups on the Proof of Service list who prefer to receive filings by e-mail and do not require a paper copy in addition to an electronic copy shall inform the Hearing Officer. The Proof of Service list for this matter will delineate those individuals and groups and it is sufficient to provide those individuals with an e-mailed copy only¹. Those not so delineated must receive a paper copy in addition to any emailed copy that the filing party chooses to provide.

In addition to providing copies to the other parties and others on the Proof of Service list, parties must either file one original physical copy and email an electronic copy or file an original and 12 physical copies with the Dockets Unit.

Electronic document formats. Many people prefer to receive and work with electronic, rather than paper, copies of documents. Electronic copies created by scanning a printed document are disfavored because their contents cannot be word searched, read by programs that assist the visually impaired, or easily read on small screen devices such as smart phones. The better method is to provide the original file in a commonly used format (i.e., Microsoft Word .doc) or create a .pdf (Portable Document Format) file by printing to a “virtual printer” that creates a .pdf file from within the same program that is used to print a paper copy.²

This directive does not apply to documents or attachments that are not generated under the control of the party or its agents or where it is otherwise infeasible to comply.

Signatures may be indicated on electronic copies by embedding a scanned signature graphic, "Original Signed By" or similar words, or a second, scanned, copy of the signature page may be appended to the .pdf or other file. It is sufficient that the original signed physical copy is filed with the Energy Commission's Dockets Unit as the single copy or with the 12 physical copies as described above.

Questions about the above filing and formatting directives may be addressed to Paul Kramer, the Hearing Officer in this matter, at (916) 654-5103 or e-mail: [pkramer@energy.state.ca.us].

¹ The California Independent System Operator (CAISO) has informed us that it does not wish to receive paper copies and will be so marked on the Proof of Service list.

² Applying optical character recognition (OCR) to a scanned file is disfavored because even the best OCR technology will make some mistakes.



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**APPLICATION FOR CERTIFICATION
FOR THE ABENGOA MOJAVE
SOLAR POWER PLANT**

Docket No. 09-AFC-5

***PROOF OF SERVICE
(Revised 12/17/09)***

APPLICANT

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INTERVENORS

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ENERGY COMMISSION

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DECLARATION OF SERVICE

I, Maggie Read, declare that on December 17, 2009, I served and filed copies of the attached Committee Scheduling Order. 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:

[\[http://www.energy.ca.gov/sitingcases/abengoa/index.html\]](http://www.energy.ca.gov/sitingcases/abengoa/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. 09-AFC-5
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 signed by:
Maggie Read