

DOCKET
07-AFC-5

DATE	DEC 29 2009
RECD.	DEC 29 2009

STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission

In the Matter of:

The Application for Certification for the
Ivanpah Solar Project
Power Plant Licensing Case

}
}
}
} Docket No. 07-AFC-5

**PREHEARING CONFERENCE STATEMENT OF
INTERVENOR COUNTY OF SAN BERNARDINO**

December 29, 2009

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Attorneys for the County of San Bernardino

I. Topic Areas That Are Complete and Ready to Proceed to Evidentiary Hearing

The County is aware of no issues that are not ready to proceed to evidentiary hearing.

II. Topic Areas That Are Not Complete and Not Yet Ready to Proceed to Evidentiary Hearing

None, with the possible exception of those areas in which the licensing conditions have not yet been finalized.

III. Topic Areas that Remain Disputed and Require Adjudication

County defers to the list in the Revised Notice of Prehearing Conferences and Evidentiary Hearing dated November 23, 2009

IV. Witnesses, Topic Areas, Testimony and Exhibits

A. Witnesses

As indicated in its Opening Testimony, the County does not currently intend on calling witnesses during the evidentiary hearings, subject to its stated reservation of rights therein.

B. Topic Areas for Cross-Examination

The County reserves its rights to cross examine all witnesses but is likely to have particular interest in witnesses called to testify on land use; more precisely, the project's consistency with applicable Federal and Local LORS. Under both local and federal plans this area is questionable for the proposed exclusive industrial use of public lands to the exclusion of all other uses. Areas of inquiry will also include the cumulative impact of this project with other proposed solar projects and infrastructure and the possibility of creation of what has been described as a de facto "solar zone" in this area. The County will also have interest in questioning witnesses on biological resources mitigation, and project alternatives, but will likely defer to those intervenors who are presenting primary witnesses to testify about those issues. Thus, the County does not anticipate that its cross examination of any single witness will exceed 30 minutes.

C. List of Exhibits

<u>Document #</u>	<u>Description</u>
1100.	County of San Bernardino 2007 General Plan
1101.	Memorandum of Understanding Between the County of San Bernardino and the U.S. Department of the Interior, Bureau Of Land Management for Processing of Environmental Reviews, March 18, 2008

V. Proposals for Briefing Deadlines and Scheduling Matters

The County would propose that the submission of opening briefs be set for a date no earlier than 20 days following the close of evidence.

VI. Proposed Modifications to the Proposed Conditions of Certification

None at this time, subject to finalization of the conditions and the conclusion of the evidentiary hearings.

Dated: December 29, 2009

Respectfully submitted,

RUTH E. STRINGER
County Counsel

By  _____
BART W. BRIZZEE
Deputy County Counsel

Attorneys for the County of San Bernardino

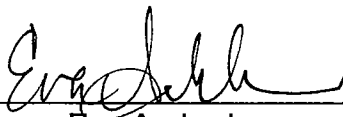
DECLARATION OF SERVICE

I, Eva Andrade, declare that on December 29, 2009, I served and filed copies of the attached PREHEARING CONFERENCE STATEMENT OF INTERVENOR COUNTY OF SAN BERNARDINO dated December 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/abengoa/ABENGOA_POS.PDF.

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 electronically and by depositing in the United States mail at San Bernardino, California, with first-class postage 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 by sending an original paper copy and one electronic copy, mailed and emailed respectively, to the Commission as shown on the Proof of Service list attached.

I declare under penalty of perjury that the foregoing is true and correct. Executed at San Bernardino, California, this 29th day of December, 2009.



Eva Andrade

Sent via email to: sdeyoung@brightsourceenergy.com; tstewart@brightsourceenergy.com; icarrier@ch2m.com; jdheslawfirm.com; e-recipient@caiso.com; tom_hurshman@blm.gov; Raymond_Lee@ca.blm.gov; dfgpalm@adelphia.net; tgulesserian@adamsbroadwell.com; mjconnor@westernwatersheds.org; gloria.smith@sierraclub.org; devorah.ancel@sierraclub.org; joanne.spalding@sierraclub.org; gssilliman@csupomona.edu; jbasofin@defenders.org; atomicoadranch@netzero.net; lbelenky@biologicaldiversity.org; anderson@biologicaldiversity.org; gsuba@cnps.org; thansen@cnps.org; granites@telis.org; jbyron@energy.state.ca.us; jboyd@energy.state.ca.us; pkramer@energy.state.ca.us; jkessler@energy.state.ca.us; dratliff@energy.state.ca.us; publicadviser@energy.state.ca.us; docket@energy.state.ca.us

One paper copy of all documents was sent via U.S. Mail to:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 07-AFC-5

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