

## Memorandum

Date: June 7, 2010  
Telephone: (916) 654-4679

To: Commissioner Robert Weisenmiller, Presiding Member  
Chair Karen Douglas, Associate Member

From: California Energy Commission – John Kessler, Project Manager  
1516 Ninth Street  
Sacramento, CA 95814-5512

**DOCKET****09-AFC-10**

DATE JUN 07 2010

RECD. JUN 07 2010

Subject: **RICE SOLAR ENERGY PROJECT (09-AFC-10)**  
**STAFF'S RECOMMENDED SCHEDULE**

Energy Commission staff, in coordination with U.S. Bureau of Land Management (BLM) and Western Area Power Administration (Western) have updated our proposed schedule for processing the Rice Solar Energy Project (RSEP) Application for Certification (AFC) and associated right-of-way and interconnection applications. The attached schedule and the information provided herein is in response to the May 26, 2010 Committee Order requesting submission of scheduling statements that address the following:

1. Identifies or proposes critical milestones and corresponding deadlines; and
2. Explains the factual or legal significance of the milestones and deadlines, with citations to applicable reference documents, statutes, or regulations.

Objectives of the proposed schedule are as follows:

- Support the RSEP applicant with obtaining an Energy Commission Decision by December 2010 if possible so that it may qualify for the U.S. Treasury Grant in-Lieu of Tax Exemption Program (American Recovery and Reinvestment Act [ARRA] funds); and
- Coordinate staff activity for the RSEP such that other solar fast-track projects under licensing review by the Energy Commission that have clearly established their desire to qualify for ARRA funds since filing their AFC are not compromised in their ability to receive funds.

In support of these objectives, staff is proposing a single staff assessment (SA), a 30-day public comment period for the SA, followed by responses to comments and updated analysis if necessary in the form of a SA addendum. The SA would also serve as a Draft Environmental Impact Statement (DEIS) to support BLM's and Western's decisions in conformance with the National Environmental Policy Act (NEPA). A Final Environmental Impact Statement (FEIS) would also be prepared subsequently in conformance with NEPA. One of the reasons staff believes at this time a single SA is feasible is it appears most if not all of the information needed by staff will be received in time to review and incorporate into the SA-DEIS from which staff can make its

conclusions and recommend mitigation measures/conditions of certification. Staff also credits the applicant with its high degree of cooperation and responsiveness in providing the necessary information and early resolution of issues such that a single SA can serve the Energy Commission's process in this proceeding. Staff cites the Rules of Practice and Procedure – Power Plant Site Certification (Siting Regulations) under Title 20, CA Code of Regulations, § 1742 and § 1742.5, as giving staff the ability to prepare a single SA.

The following table provides the current milestones for all the ARRA projects under review at the Energy Commission. The schedule that staff has proposed for the Rice project will not impact any other ARRA project because it has filing dates, hearing dates and the PMPD after all ARRA projects with the exception of the Ridgecrest project which has informed the Energy Commission that it is no longer seeking a 2010 decision necessary for the Treasury grant.

Staff's proposed schedule follows.

Docket (09-AFC-10)  
Webworks  
POS

| <b>BLM<br/>CEC<br/>ARRA<br/>ACTION<br/>PLAN<br/>6/6/10</b> | <b>CEC<br/>Publishes<br/>SA/DEIS or<br/>PSA (Start 30<br/>day comment<br/>period)</b> | <b>SA/DEIS<br/>Workshop/Open<br/>House Status<br/>Conf.</b> | <b>CEC Publishes RSA<br/>(FSA Addendum for<br/>Rice)<br/>*estimate</b> | <b>CEC Prehearing<br/>Conf.<br/>*estimate</b> | <b>CEC Evidentiary<br/>Hearings<br/>*estimate</b> | <b>CEC Publishes PMPD<br/>(Begin 30 day comment<br/>period)</b> | <b>CEC Decision (End of<br/>30 day comment<br/>period for PMPD<br/>Published)</b> |
|--|---|---|--|---|---|---|---|
| <b>Abengoa</b>   |   |   |  |   |   |   |   |
| CEC  | 3/16/10   | 4/6,7/10  | 5/12 & 5/21/2010   | 6/21/2010                                     | 6/28 & 29/2010                                    | 7/19/10   | 8/30/10   |
| <b>Beacon</b>  |   |   |  |   |   |   |   |
| CEC  | 4/1/09  | 4/14/09   | 10/22/09   | 3/15/10                                       | 3/25/10, <b>6/8/10</b>                            | <b>7/?/2010</b>   | <b>8/?/2010</b>   |
| <b>Blythe</b>  |   |   |  |   |   |   |   |
| BLM  |   |   |  |   |   |   |   |
| CEC  | 3/11/10   | 4/28,29/2010  | 6/4/2010   | 6/17/2010                                     | 7/16/2010   | 8/9/10  | 9/22/10   |
| <b>Calico</b>  |   |   |  |   |   |   |   |
| BLM  |   | 4/28/10   |  |   |   |   |   |
| CEC  | 4/1/10  | 4/16/10, <b>5/20/10</b>                                     | <b>7/8/2010</b>  | <b>7/30/2010</b>                              | <b>8/4-6/2010</b>                                 | 8/23/10   | 9/27/10   |
| <b>Genesis</b>   |   |   |  |   |   |   |   |
| BLM  |   | 5/5/10  |  |   |   |   |   |
| CEC  | 3/26/10   | 4/19,20,21/10   | 6/11/2010  | 7/1/2010                                      | 7/12-14/2010                                      | 8/23/10   | 9/27/10   |
| CEC  |   | 5/5/10, <b>5/28/10</b>                                      |  |   |   |   |   |
| <b>Imperial</b>  |   |   |  |   |   |   |   |
| BLM  |   | 3/22/10   |  |   |   |   |   |
| BLM  |   | 5/4/10  |  |   |   |   |   |
| CEC  | 2/12/10   | 3/22/10   | 5/17/2010  |   | 5/24-25/10  |   |   |
| CEC  | 3/18/10   | 5/4/10  | <b>6/27/10</b>   |   | 7/?/2010  | 8/?/2010  | 9/?/2010  |
| <b>Ivanpah</b>   |   |   |  |   |   |   |   |
| BLM  |   | 2/4/10  |  |   |   |   |   |
| CEC  | 12/9/08   |   | 5/26/10  |   | 3/22/10   |   |   |
| CEC  | 11/4/09   | 12/14,15,22/09  |  |   | 7/12/2010   | 7/26/2010   | 8/25/10   |
| CEC  | 3/17/10,<br>4/30/10   |   |  |   |   |   |   |
| <b>Palen</b>   |   |   |  |   |   |   |   |
| BLM  |   | 4/28,29/10  |  |   |   |   |   |
|  |   | 4/16/10   |  |   |   |   |   |
| CEC  | 3/18/10   | 4/28,29/10  | 6/18/2010  | 7/1/10  | 7/16/10   | 8/18/10   | 9/22/10   |
| <b>Rice</b>  |   |   |  |   |   |   |   |
| BLM  |   |   |  |   |   |   |   |
| CEC  | <b>7/21/10</b>  | 8/?/2010  | 9/1/2010 - 9/20/2010**   | 8/?/2010                                      | 9/?/2010  | 10/?/2010 or 11/?/2010  | 11/?/2010 or 12/?/2010  |
| <b>Ridgecrest</b>  |   |   |  |   |   |   |   |
| BLM  |   | 4/22,23/10  |  |   |   |   |   |
| BLM  |   | 5/3,4/10  |  |   |   |   |   |
| CEC  |   | 5/?/2010  |  |   |   |   |   |
| CEC  |   | 6/?/2010  | 9/30/2010  | 10/?/2010                                     | 11/?/2010   | 1/?/2011  | 2/?/2011  |

\*\* Staff's date for publishing the FSA Addendum would depend on the extent of comments received, varying from as early as 9/1/2010 if comments are minimal, to as late as 9/20/2010 if comments are significant.



**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](http://WWW.ENERGY.CA.GOV)**

**APPLICATION FOR CERTIFICATION  
FOR THE *RICE SOLAR ENERGY POWER  
PLANT PROJECT***

**Docket No. 09-AFC-10**

***PROOF OF SERVICE*  
(Revised 3/4/2010)**

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### DECLARATION OF SERVICE

I, Teraja` Golston , declare that on, June 7, 2010, I served and filed copies of the attached, Rice Solar Energy (09-AFC-10) - Staff's Recommended Schedule. 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/ricesolar>].

The documents have 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;
- ☒ by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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-10  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original Signature in Dockets  
Teraja` Golston