

DOCKET

09-AFC-7

DATE JUL 02 2010

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July 2, 2010

California Energy Commission
Docket Unit
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: **PALEN SOLAR I, LLC'S ISSUE STATEMENT FOR THE JULY 6, 2010,
STATUS CONFERENCE
DOCKET NO. (09-AFC-7)**

Enclosed for filing with the California Energy Commission is the original of
**PALEN SOLAR I, LLC'S ISSUE STATEMENT FOR THE JULY 6, 2010, STATUS
CONFERENCE**, for the Palen Solar Power Project (09-AFC-7).

Sincerely,



Marie Mills

Scott A. Galati
Robert A. Gladden
GALATIBLEK LLP
455 Capitol Mall
Suite 350
Sacramento, CA 95814
(916) 441-6575

STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

DOCKET NO. 09-AFC-7

Application for Certification for the
PALEN SOLAR POWER PROJECT

**PALEN SOLAR I, LLC'S ISSUE
STATEMENT FOR THE JULY 6, 2010,
STATUS CONFERENCE**

In order to provide recommendations to the Committee concerning the processing of the Palen Solar Power Project (PSPP) Application for Certification (AFC), Palen Solar I, LLC (PSI), has prepared this issue statement in response to the Committee Order dated June 14, 2010. In accordance with that order we have summarized the preparations and readiness for evidentiary hearings, and obstacles to resolution of outstanding issues. Included with this issue statement is a proposed schedule for the remainder of the proceeding.

Discussion

1. Status of Preparations for Evidentiary Hearings

PSI did not agree with the analysis, quantity or severity of impacts as described in the Staff Assessment/Draft Environmental Impact Statement (SA/DEIS) relating to Mojave Fringe Toad Lizard (MFTL) habitat. However, in order to cooperate with the agencies and avoid lengthy evidentiary hearings on these issues, PSI has reconfigured the PSPP to avoid certain zones within a sand transport corridor and thereby avoid disagreement relating to impacts to the MFTL. It has taken time to understand the specific objectives of the agencies because modification of the layout could affect other resources. PSI has worked diligently to develop two Alternative Reconfigurations for Staff to evaluate. One of the alternatives (Reconfigured Alternative 2) involves private land over which PSI does not yet control and therefore Reconfiguration Alternative 3 excludes those lands. PSI requests that the Commission process both alternatives.

PSI will file on July 2, 2010, descriptions of both of these alternatives with an assessment of the potential environmental effects including a comparison to the originally proposed

project layout. With this filing, PSI believes that Staff has all the information it requires to complete the Revised Staff Assessment (RSA).

2. Readiness for Evidentiary Hearings

Once the RSA is published PSI believes that the parties will be ready for evidentiary hearings and proposes the attached schedule for Committee consideration.

3. Obstacles to Resolution of Outstanding Issues

PSI does not believe that there are any obstacles to resolution of outstanding issues although acknowledges that it is possible that the Committee might have to decide issues which the parties cannot resolve themselves.

Dated: July 1, 2010

/// original signed ///

Scott A. Galati
Counsel to PSI, LLC

**PSI PROPOSED SCHEDULE
PALEN SOLAR POWER PROJECT**

ACTIVITY	DATE
Committee Status Conference	7/6/10
RSA published	7/23/10
Parties File Opening Testimony	8/13/10
Parties File Rebuttal Testimony, Exhibits and PreHearing Conference Statements	8/20/10
PreHearing Conference	Week of August 23, 2010
Evidentiary Hearings	Week of September 13, 2010
Presiding Member's Proposed Decision	11/08/10
Commission Decision	12/15/10



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 PALEN SOLAR POWER
PLANT PROJECT**

Docket No. 09-AFC-7

**PROOF OF SERVICE
(Revised 4/19/10)**

APPLICANT

Alice Harron
Senior Director of Project
Development
1625 Shattuck Avenue, Suite 270
Berkeley, CA 94709-1161
harron@solarmillennium.com

Elizabeth Ingram, Associate
Developer, Solar Millennium, LLC
1625 Shattuck Avenue
Berkeley, CA 94709
ingram@solarmillennium.com

Arrie Bachrach
AECOM Project Manager
1220 Avenida Acaso
Camarillo, CA 93012
arrie.bachrach@aecom.com

Ram Ambatipudi
Chevron Energy Solutions
150 E. Colorado Blvd., Ste. 360
Pasadena, CA 91105
rambatipudi@chevron.com

Co-COUNSEL

Scott Galati, Esq.
Galati/Blek, LLP
455 Capitol Mall, Suite 350
Sacramento, CA 95814
sgalati@gb-llp.com

Co-COUNSEL

Peter Weiner, Matthew Sanders
Paul, Hastings, Janofsky &
Walker LLP
55 2nd Street, Suite 2400-3441
San Francisco, CA 94105
peterweiner@paulhastings.com
matthewsanders@paulhastings.com

INTERVENORS

California Unions for Reliable
Energy (CURE)
c/o Tanya A. Gulesserian,
Marc D. Joseph
*Jason W. Holder
Adams Broadwell Joseph &
Cardozo
601 Gateway Boulevard,
Suite 1000
South San Francisco, CA 94080
tgulesserian@adamsbroadwell.com
jholder@adamsbroadwell.com

Michael E. Boyd, President
Californians for Renewable
Energy, Inc.
5439 Soquel Drive
Soquel, CA 95073-2659
michaelboyd@sbcglobal.net

Alfredo Figueroa
Californians for Renewable
Energy, Inc.
424 North Carlton
Blythe, CA 92225
lacunadeaztlan@aol.com

*Basin and Range Watch
Kevin Emmerich
Laura Cunningham
P.O. Box 153
Baker, CA 92309
atomictoadranch@netzero.net

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Holly L. Roberts, Project Manager
Bureau of Land Management
Palm Springs-South Coast
Field Office
1201 Bird Center Drive
Palm Springs, CA 92262
CAPSSolarBlythe@blm.gov

ENERGY COMMISSION

ROBERT WIESENMILLER
Commissioner and Presiding
Member
rweisenm@energy.state.ca.us

KAREN DOUGLAS
Chairman and Associate Member
kldougl@energy.state.ca.us

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

Alan Solomon
Siting Project Manager
asolomon@energy.state.ca.us

Lisa DeCarlo
Staff Counsel
ldecarlo@energy.state.ca.us

Jennifer Jennings
Public Adviser's Office
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Marie Mills, declare that on July 2, 2010, I served and filed copies of the attached **PALEN SOLAR I, LLC'S ISSUE STATEMENT FOR THE JULY 6, 2010, STATUS CONFERENCE**, dated **July 1, 2010**. 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: [\[http://www.energy.ca.gov/sitingcases/solar_millennium_palen\]](http://www.energy.ca.gov/sitingcases/solar_millennium_palen)

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-7
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, 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.



Marie Mills