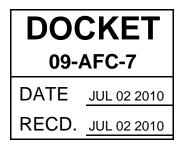


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July 2, 2010

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,

Mani Gills

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 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 PORJECT

ACTIVITY	DATE
Committee Status Conference	7/6/10
RSA published	7/23/10
Parties File Opening Testimony	8/13/10
	0/00/40
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

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ENERGY COMMISSION

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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]

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:

- X sent electronically to all email addresses on the Proof of Service list;
- _____ by personal delivery;
- X by delivering on this date, for mailing with the United States Postal Service with firstclass 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:

<u>X</u> 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. <u>09-AFC-7</u> 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.

Mani Gills

Marie Mills