

**CALIFORNIA ENERGY COMMISSION**

Application for Certification for the )  
 Calico Solar Project )  
 (formerly SES Solar I) )  
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Docket No. 08-AFC-13  
 Order No. 10-1201-23A

**COMMISSION’S ORDERS ON (1) FILING OF NOTICE OF DECISION  
 AND (2) RECONSIDERATION OF EFFECTIVE DATE OF DECISION**

The Energy Commission approved the Calico Solar Project on October 28, 2010; the order approving the project states that “[t]his Decision is adopted, issued, effective, and final on October 28, 2010.” The Notice of Decision (“NOD”) required by the California Environmental Quality Act (“CEQA”) was filed on November 3, 2010. The complete final decision for the project was docketed and made publicly available on November 12, 2010.

On November 11, 2010, California Unions for Reliable Energy (“CURE”, an intervenor in the proceeding) and Mr. William Perez wrote a letter to the Commission concerning the NOD and the effective date of the decision (“the CURE Letter”).

The Commission treated the CURE letter as a petition for reconsideration of the effective date of the Final Decision. On December 1, 2010, the Commission found that the CURE Letter presented new evidence that could not have been produced during evidentiary hearings on the case despite CURE’s due diligence: i.e., the circumstances of the filing of the NOD and the public availability of the Final Decision. The Commission thus granted CURE’s petition for reconsideration; the Commission also ordered, on its own motion, reconsideration of the effective date.

The Commission held a subsequent hearing, also on December 1, 2010, to decide whether to change the effective date of the Final Decision.

Pursuant to the authority granted by the Warren-Alquist Act and the Commission’s regulations, and for good cause shown, the Commission makes the following orders. (See Pub. Resources Code, §§ 25218, 25530; Cal. Code Regs., tit. 20, §§ 1720, 1720.4, 1768.)

1. The Final Decision is adopted, issued, effective, and final today, December 1, 2010.
2. The Chief Hearing Advisor shall (a) amend the Final Decision to state the December 1st effective date, (b) docket this Order, and (c) publicly notice the December 1st effective date on the Commission's website.
3. The stay ordered by the Chairman on November 19, 2010, is hereby vacated.
4. The Executive Director shall withdraw and re-file the Notice of Decision today, December 1, 2010.
5. Nothing in this document or in actions related thereto should be considered as implying or stating agreement with any factual or legal argument in the CURE Letter, or as an interpretation of any statute or regulation pertaining to effective dates, NODs, statutes of limitation, or similar matters.

December 1, 2010

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KAREN DOUGLAS  
Chairman

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JAMES D. BOYD  
Vice Chair

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JEFFREY D. BYRON  
Commissioner

Absent

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ANTHONY EGGERT  
Commissioner

Absent

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ROBERT B. WEISENMILLER  
Commissioner