

STATE OF CALIFORNIA  
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION

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|---------------------------|
| <b>DOCKET</b><br>09-AFC-7 |
| DATE 1/28/11              |
| RECD 1/28/11              |

Application for Certification )  
for the Palen Solar Power Project )  
\_\_\_\_\_ )

Docket No. 09-AFC-7

NOTICE OF HEARING ON PETITION FOR RECONSIDERATION  
AND  
OPPORTUNITY TO COMMENT

**Notice of Hearing**

On December 15, 2010, the Energy Commission approved the Application for Certification ("AFC") for the Palen Solar Power Project. (Docket No. 09-AFC-7, Order No. 10-1215-19 (Dec. 15, 2010).) On January 14, 2011, Intervenor Center for Biological Diversity filed a Petition for Reconsideration ("Petition") of that decision.

The Commission will hold a public hearing to consider whether to grant or deny the Petition at the following time and place:

**Monday, February 14, 2011  
Beginning at 10:00 a.m.**

**California Energy Commission  
First Floor Hearing Room A  
1516 Ninth Street  
Sacramento, California 95814  
(Wheelchair Accessible.)**

Members of the public and parties to the Palen AFC proceeding may participate and offer oral and written comments at the hearing. The Commission also invites public, agency, and party written comments on the Petition in advance of the hearing.

**Notice of Public Comment Period**

Comments may be filed physically or electronically. The Energy Commission encourages the use of electronic filing. Documents may be filed electronically as an attachment to an e-mail directed to the Energy Commission's Dockets Office, set forth

PROOF OF SERVICE (REVISED 8-29-10) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 1/28/11  
C. Hong

below. All documents filed electronically shall be in either Microsoft Word or Portable Document Format (PDF). Please include the name of the submitting entity or individual in document file name. **One paper copy must also** be sent to the Energy Commission's Docket Unit at:

California Energy Commission  
Dockets Office, MS-4  
Re: Docket No. 07-AFC-5  
1516 Ninth Street  
Sacramento, CA 95814-5512

e-mail address: [docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

In order to ensure that your comments are considered, **all comments must be received physically or electronically at the address above by noon on Wednesday, February 9, 2011.**

Pursuant to Section 1209 of the Commission's regulations, comments should include a title page with the title of the proceeding, the docket number, the nature of the material, and the name, address, and telephone number of the person submitting the comment. (Cal. Code Regs., tit. 20, § 1209, subd. (b).) All documents submitted physically (with no electronic copy), shall also submit twelve (12) copies with the original document to the Commissions' Docket Unit. (*Id.*, § 1209, subd. (c).)

Pursuant to Section 1210 of the Commission's regulations, comments filed by parties to the AFC proceeding must include proof of service to the proceeding's service list, which may be accomplished by e-mail. (Cal. Code Regs., tit. 20, § 1210.)

Please note that mailed comments must be **physically delivered by February 9, 2011**; a February 9 postmark is insufficient.

### **Procedural Background**

Section 1720 of the Commission's regulations allows any party in a power facility certification case to file a petition for reconsideration of a decision or order, within 30 days after a determination is final. (Cal. Code Regs., tit. 20, § 1720, subd. (a).) That section also lists the required contents of such petitions and specifies deadlines for Commission action thereon. (*Id.*, § 1720, subds. (b)-(c).) The Commission must grant or deny a petition for reconsideration within 30 days of its filing. (*Id.*, § 1720, subd. (b).) If the Commission denies the petition, then the original determination stands. If

the Commission grants the petition, then it is required to hold a subsequent hearing (which may include the taking of evidence) within 90 days to consider whether to change the original determination (*Id.*, § 1720, subs. (b)-(c).)

### **Public Participation**

For information on how to participate at the Commission hearing, contact the Commission Public Adviser's Office at 916-654-4489 or toll free at 1-800-822-6228 or by e-mail [[pao@energy.state.ca.us](mailto:pao@energy.state.ca.us)]. If you have a disability and need assistance to participate, contact Lourdes Quiroz at 916-654-5416 at least five days prior to the hearing.

Questions of a legal or procedural nature should be directed to Raoul Renaud, the Hearing Officer, at 916-651-2020 or by e-mail [[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)].

Media inquiries should be directed to the Office of Media and Public Communications at 916-654-4989 or by e-mail [[mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov)].

Dated: January 28, 2011



KAREN DOUGLAS  
Chair



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 *PALEN SOLAR POWER*  
*PLANT PROJECT*

Docket No. 09-AFC-7

**PROOF OF SERVICE**  
(Revised 8/27/10)

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DECLARATION OF SERVICE

I, **Chester Hong**, declare that on **January 28, 2011**, I served and filed copies of the attached, **NOTICE OF HEARING ON PETITION FOR RECONSIDERATION AND OPPORTUNITY TO COMMENT** dated **January 28, 2011**. 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](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.

  
CHESTER HONG