



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

DOCKET

11-KGA-1

DATE MAR 11 2011

RECD. MAR 11 2011

IN THE MATTER OF:

BEFORE THE RENEWABLES COMMITTEE

KURT GROSSMAN APPEAL

Docket No. 11-KGA-1

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Renewables Committee has scheduled the Hearing in the matter of Kurt Grossman Appeal to take place as follows:

Tuesday, March 29, 2011
Beginning at 9:30 a.m.

California Energy Commission
Hearing Room A
1516 Ninth Street
Sacramento, CA 95814
(Map Attached)

TELECONFERENCE OPTION: You may participate in the Hearing by telephone and/or by computer via "WebEx" conferencing system. Please see the "Participation through WebEx" section attached to this notice.

Background

On August 26, 2010, Kurt Grossman, on behalf of SPGCA, Inc. of Newport Beach, California, submitted an Application for Pre-Certification to the Energy Commission's California Renewables Portfolio Standard Program. The Application sought pre-certification for Genergy, described in the application as a 20 MW small hydroelectric generating system built under water.

On October 18, 2010, Commission staff sent a letter to Mr. Grossman denying the Application. The bases for the denial, as set forth in the letter, were that Genergy did not meet the definition of small hydroelectric as defined in the Overall Program Guidebook and that Genergy did not implement any other renewable resource or fuel described in Public Resources Code section 25741(a)(1).

On November 18, 2010, Mr. Grossman petitioned the Renewables Committee for reconsideration of the denial of the Application. On January 25, 2011, Mr. Grossman

was notified that the Renewables Committee would provide Mr. Grossman the opportunity to make a presentation in support of the Application and would reconsider the denial of the Application in light of that presentation.

Procedures for the Hearing

The hearing will afford Mr. Grossman, on behalf of SPGCA, Inc. the opportunity to present facts and evidence, oral or written, in support of the Application to the Renewables Committee. Energy Commission staff familiar with the Application will be available to answer questions and provide information. Both Mr. Grossman and Staff may be represented and/or assisted by counsel.

The hearing will be recorded. The Committee will issue its decision on the Petition within 45 days after the hearing.

Public Participation

Members of the public are welcome to attend and offer comments at the Hearing. Anyone desiring information on how to participate may contact the Public Adviser's Office at (916) 654-4489 or 800-822-6228 or e-mail: **[publicadviser@energy.state.ca.us]**.

Information

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

Dated on March 11, 2011 at Sacramento, California.

A handwritten signature in black ink, appearing to read "James D. Boyd", written over a horizontal line.

JAMES D. BOYD
Vice Chair and Presiding Member

PARTICIPATION IN THE KURT GROSSMAN APPEAL HEARING
THROUGH WEBEX
THE ENERGY COMMISSION'S ON-LINE MEETING SERVICE

1. COMPUTER LOG-ON WITH A DIRECT PHONE NUMBER:

- Please go to <https://energy.webex.com> and enter the meeting number unique to the specific hearing date:

➤ 3/29/11 - meeting number: **924 436 487**

When prompted, enter your information and the meeting password: **grossman@123**

After you login, a prompt will appear on-screen for you to provide **your** phone number. In the **Number box**, type your area code and phone number and click OK. **You will receive a call back on your phone for the audio of the meeting.** International callers can use the "Country/Region" button to help make their connection.

2. COMPUTER LOG-ON FOR CALLERS WITH AN EXTENSION PHONE NUMBER, ETC:

- Please go to <https://energy.webex.com> and enter the unique meeting number.
- 3/29/11 - meeting number: **924 436 487**

When prompted, enter your information and the meeting password: **grossman@123**

After you login, a prompt will ask for your phone number. Click "CANCEL."

- ***Instead** call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login.*

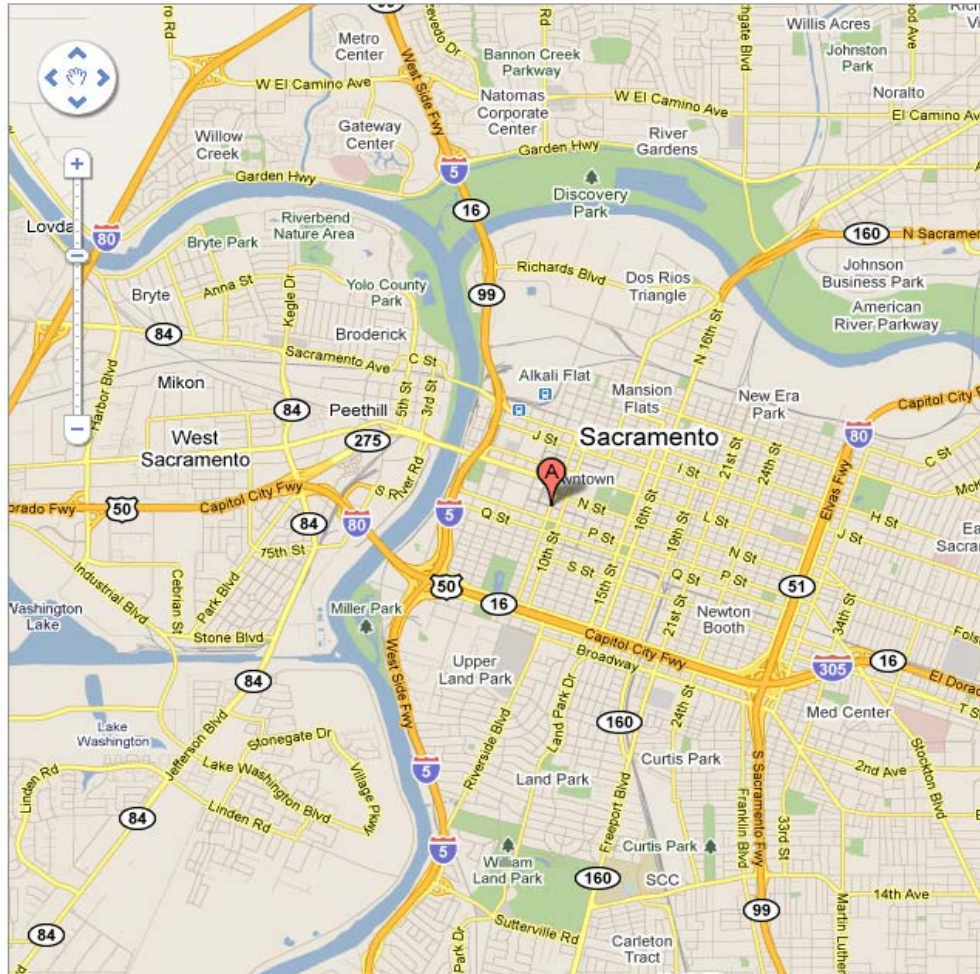
3. TELEPHONE ONLY (NO COMPUTER ACCESS):

- *Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the meeting number:*
- 3/29/11 - meeting number: **924 436 487**

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. To see if your computer is compatible, visit [<http://support.webex.com/support/system-requirements.html>].

Please be aware that the meeting's WebEx audio and on-screen activity may be recorded

**California Energy Commission
Hearing Room A
1516 Ninth Street
Sacramento, CA 95814**





**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**

IN THE MATTER OF:

FOR THE *KURT GROSSMAN APPEAL*

**Docket No. 11-KGA-1
PROOF OF SERVICE
(Est. 3/11/2011)**

APPELLANT

Kurt Grossman
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ENERGY COMMISSION

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DECLARATION OF SERVICE

I, RoseMary Avalos, declare that on March 11, 2011, I served and filed copies of the attached NOTICE OF HEARING, dated March 11, 2011. The original document has been filed with the Docket Unit. A copy may be obtained from the Docket Unit by referring to Docket Number **11-KGA-1**.

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 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:

- X 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. 11-KGA-1
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.

Original Signed By:
RoseMary Avalos
Hearing Adviser's Office