



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-AFC-1

DATE May 24 2011

RECD. May 24 2011

**APPLICATION FOR CERTIFICATION FOR THE
PIO PICO ENERGY CENTER**

DOCKET No. 11-AFC-1

COMMITTEE SCHEDULING ORDER

Background

On February 10, 2011, Pio Pico Energy Center, LLC submitted an Application for Certification (AFC) to the California Energy Commission seeking permission to construct and operate a nominal 300 megawatt (MW) natural gas-fired simple-cycle generating facility, the Pio Pico Energy Center (PPEC). The project site is on approximately 10 acres of disturbed land located on Alta Road at Calzada de la Fuente in the Otay Mesa area of unincorporated San Diego County.

The Energy Commission found the AFC data adequate on April 20, 2011, and assigned a Committee to conduct proceedings on the AFC. The Committee held a public Site Visit and Informational Hearing at Southwestern College Higher Education Center at Otay Mesa on May 16, 2011, to view the proposed site, discuss the review process, and identify issues that could affect the schedule. Pursuant to Title 20 of the California Code of Regulations, section 1709.7(c), the attached Committee Schedule is based upon Applicant's and Staff's proposed schedules and related discussions at the Informational Hearing.

The schedule contains a list of events that must occur in order to complete the certification process. The Committee encourages the parties to consider the dates in this schedule as final deadlines and endeavor to complete the tasks ahead of these dates. Some deadlines are contingent upon reviews to be conducted by other government agencies. The Applicant must provide sufficient review time for the responsible agencies to meet the deadlines specified in the schedule.

Technical issues regarding water resources and transmission system engineering were identified by Staff as potentially significant; at the Informational Hearing new information was supplied by the Applicant which resolved the transmission issue to Staff's satisfaction. Resolution of the water issue, and any others which may develop, shall be addressed during the data exchange process and in public meetings with the parties and interested governmental agencies. Given the complexity of resolving some issues, the parties are hereby notified that the Committee may modify the schedule at any time by its own motion or that of a party. [Cal. Code Regs., tit. 20, § 1709.7(c).]

Status Reports and Status Conferences

Typical Committee scheduling orders require status reports to be submitted on a regular basis by all parties to allow the Committee to determine whether case development is progressing satisfactorily and to bring potential schedule delays or other relevant matters to the Committee's attention. In this case, it appears to the Committee that requiring regularly-scheduled status reports is not necessary, and the time consumed in their preparation could impede the parties' progress toward resolving issues and the timely issuance of the Preliminary Staff Assessment. Conducting regularly-scheduled status conferences in this case may be similarly counter-productive.

Accordingly, the Committee **orders** that the parties work with diligence to meet the schedule deadlines, **and further orders** that the parties promptly inform the Committee via memo, e-mail, or telephone contact with the Hearing Adviser, of anything causing inability to meet a deadline. Any such communications shall be promptly docketed as appropriate. If the parties comply with the above, there will be no need for regular written status reports. The Committee will request status reports and schedule status conferences as necessary.

Public Participation

The Energy Commission Public Adviser is available to assist the public in participating in the application review process. For those individuals who require general information on how to participate, please contact the Public Adviser's Office at (916) 654-4489 or 1-800-822-6228 or e-mail: [**\[publicadviser@energy.state.ca.us\]**](mailto:publicadviser@energy.state.ca.us).

If you have a disability and need assistance to participate in any scheduled event, contact Lourdes Quiroz no less than five days prior to the hearing at (916) 654-5146 or e-mail: [**\[lquiroz@energy.state.ca.us\]**](mailto:lquiroz@energy.state.ca.us).

Obtaining Information

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

Technical questions concerning the project should be addressed to Eric Solorio, the Staff Project Manager, at (916) 651-0966 or e-mail: [**\[esolorio@energy.state.ca.us\]**](mailto:esolorio@energy.state.ca.us).

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

Information concerning the status of the project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet web page at: [\[http://www.energy.ca.gov/sitingcases/piopico/index.html\]](http://www.energy.ca.gov/sitingcases/piopico/index.html).

Dated: May 24, 2011 at Sacramento, California.

A handwritten signature in cursive script, reading "Carla Peterman".

CARLA PETERMAN
Commissioner and Presiding Member
Pio Pico AFC Committee

A handwritten signature in cursive script, reading "Karen Douglas".

KAREN DOUGLAS
Commissioner and Associate Member
Pio Pico AFC Committee

**COMMITTEE SCHEDULE
for the
PIO PICO ENERGY CENTER**

Item	ACTIVITY	Calendar Day
1	Application for Certification determined to be "Data Adequate" at Commission Business Meeting	04-20-11
2	Staff files Issue Identification Report	05-06-11
3	Informational hearing and site visit	05-16-11
4	Staff files 1st Round Data Requests	05-20-11
5	Applicant files Data Responses (round 1)	06-17-11
6	Data response and issue resolution workshop (round 1)	06-24-11
7	Staff files data requests (round 2, if necessary)	06-30-11
8	Applicant provides data responses (round 2, if necessary)	07-29-11
9	SDAPCD issues Preliminary Determination of Compliance (PDOC)	07-29-11
10	Data response and issue resolution workshop (round 2)	08-05-11
11	Preliminary Staff Assessment filed	08-31-11
12	Preliminary Staff Assessment workshop(s)	09-15-11
13	SDAPCD issues Final Determination of Compliance (FDOC)	09-29-11
14	Public Comments on PSA are due	09-30-11
15	Final Staff Assessment filed	10-28-11
16	Prehearing Conference*	TBD
17	Evidentiary hearings*	TBD
18	Committee files Presiding Member's Proposed Decision*	TBD
19	Hearing on the PMPD*	TBD
20	Committee files errata or revised PMPD (if necessary)*	TBD
21	Commission issues final Decision	TBD
*Items 16 thru 20 are scheduled by the Committee		

Dated: May 24, 2011