

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5112**DOCKET****11-AFC-4**DATE Oct. 28 2011 October 28, 2011RECD. Oct. 28 2011**TO: AGENCY DISTRIBUTION LIST****REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE RIO MESA SOLAR ELECTRIC GENERATING FACILITY, APPLICATION FOR CERTIFICATION (11-AFC-4)**

On October 14, 2011, BrightSource Energy, Inc. submitted an Application for Certification (AFC) to construct and operate the Rio Mesa Solar Electric Generating Facility (Rio Mesa SEGF). The Rio Mesa SEGF site is located on the Palo Verde Mesa in Riverside County, California, approximately 13 miles southwest of the City of Blythe.

PROJECT DESCRIPTION

The proposed Rio Mesa SEGF (Project) would be comprised of three solar fields and a common area with shared facilities encompassing a total of approximately 5,750 acres. The southern solar field would be located on privately owned land on approximately 1,800 acres, the middle solar field would be located on mostly privately owned land on approximately 1,940 acres, with a small portion located on Federal land administered by the Bureau of Land Management (BLM). The third solar field, approximately 1,800 acres in size and located in the northern portion of the project, is mostly on BLM land, with a small portion on private lands. A separate Right of Way grant must be approved by BLM for that portion of the project located on BLM land. Each solar plant would generate approximately 250 megawatts (MW), for a total net output of 750 MW and would use heliostats – elevated mirrors guided by a tracking system mounted on a pylon – to focus the sun's rays on a receiver located atop a 750-foot tall solar power tower near the center of each solar field. Each solar plant would utilize approximately 85,000 heliostats.

The shared facilities located in the common area east of the plant sites would include administration, control, maintenance, and warehouse buildings; a heliostat assembly building, evaporation ponds, groundwater wells, a water treatment plant, construction laydown and parking areas, mobile equipment maintenance facilities and a natural gas tap and meter station.

The Rio Mesa SEGF will be interconnected to the Southern California Edison (SCE) grid through upgrades to SCE's 220 kilovolt (kV) line passing north of the site known as the Palo Verde-Devers Line. The upgrades will include construction by SCE of a new 220/ 500 kV substation adjacent to the Palo Verde-Devers line to be designated as the Colorado River Substation. This new substation and the 220 kV upgrades will be for the benefit of the Rio Mesa SEGF project and other interconnection customers in the region.

If the proposed project is approved by the Energy Commission, the applicant plans to begin construction on the first plant in the fourth quarter of 2013 with commercial

operation anticipated in the fourth quarter of 2015. The second and third plants are planned to be constructed in 2014 and 2015 with commercial operation of third plant planned for second quarter of 2016.

ENERGY COMMISSION'S SITE CERTIFICATION PROCESS

The Energy Commission is responsible for reviewing and ultimately approving or denying all applications to construct and operate thermal electric power plants, 50 MW and greater, in California and its permit is in lieu of all other applicable state, local, and federal permits to the extent permitted by federal law. The Energy Commission's facility certification process carefully examines public health and safety, environmental impacts, and engineering aspects of proposed power plants and all related facilities such as electric transmission lines and natural gas and water pipelines. The Energy Commission has a certified regulatory program and is the lead agency under the California Environmental Quality Act (CEQA).

The first step in the review process is for Energy Commission staff (staff) to determine whether or not the AFC contains all the information and data required by our regulations. Once the Energy Commission deems the AFC complete, staff will begin the discovery and issue analysis phases. At that time, a detailed and thorough examination of issues will occur.

Under its certified regulatory program the Energy Commission prepares and publishes both a Preliminary Staff Assessment (PSA) and a Final Staff Assessment (FSA) which are the legal equivalents of an Environmental Impact Report. After allowing for a public comment period on the PSA, staff will prepare and publish the FSA which will serve as staff's formal testimony in evidentiary hearings to be held by the Energy Commission Committee assigned to hear this case. The Committee will hold evidentiary hearings and will consider the recommendations presented by staff, applicant, intervenors, government agencies, and the public, prior to proposing its decision. In the last step, the full Energy Commission will issue the final decision.

AGENCY PARTICIPATION

To ensure that the Energy Commission has the information needed in order to make a decision regarding the AFC, the Energy Commission's regulations identify a special role for federal, state, and local agencies (See, Cal. Code Regs., tit. 20, section 1714, 1714.3, 1714.5, 1742, 1743, and 1744). As a result, we request that you conduct a review of the AFC and provide us with the following information:

1. A discussion of those aspects of the proposed site and related facilities for which your agency would have jurisdiction but for the exclusive jurisdiction of the Energy Commission to certify sites and related facilities;

2. A determination of the completeness of the list in the AFC of the laws, regulations, ordinances, or standards that are applicable to the proposed site and related facilities, and which your agency would administer or enforce but for the Energy Commission's exclusive jurisdiction;
3. A description of the nature and scope of the requirements that the applicant would need to meet in order to satisfy the substantive requirements of your agency but for the Energy Commission's exclusive jurisdiction, and identification of any analyses that the Energy Commission should perform in order to determine whether these substantive requirements can be met; and
4. An analysis of whether there is a reasonable likelihood that the proposed project will be able to comply with your agency's applicable substantive requirements.

The scope of your agency's comments on the AFC should encompass *significant* concerns, and substantive requirements that would be required for permitting by your Agency but for the Energy Commission's exclusive jurisdiction or certification. (Cal. Code Regs., tit. 20, section 1714.5, subd. (a)(2)). Please let us know if you need additional information or need to perform analyses or studies in order to resolve any concerns of your agency (Cal. Code Regs., tit. 20, section 1714.5).

We request that your agency provide comments to us by **January 15, 2012**, except for the Mojave Desert Air Quality Management District's Preliminary and Final Determinations of Compliance. You may be asked to present and explain your conclusions at public and evidentiary hearings on the project (see Cal. Code Regs., tit. 20, sections 1714.3, 1714.5, 1743, 1744.5, and 1748).

Once the AFC is deemed complete, your participation in the proceeding will continue to be valuable and encouraged and will allow you to identify and try to resolve issues of concern to your agency. There may be specific requests for agency review and comment during the proceedings after the AFC has been determined to be complete. Local agencies may seek reimbursement for costs incurred in responding to these requests.¹ However, comments provided in response to this request during data adequacy are not reimbursable under Energy Commission guidelines.

Enclosed is a copy of the AFC in electronic format (CD). If you would like to have a hard copy of the AFC sent to you or if you have questions, please contact the Energy Commission's Project Manager, Pierre Martinez, at (916) 651-3765, or by e-mail at pmartine@energy.state.ca.us. The status of the proposed project, copies of notices, a copy of the AFC, and other relevant documents are also available on the Energy Commission's Internet web site at:

¹ Please note that pursuant to 20 CCR 1715 reimbursement is not available to state and federal agencies.

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<http://www.energy.ca.gov/sitingcases/riomesa/index.html>. You can also receive email notification of all project related activities and availability of reports by subscribing to the List server at <http://www.energy.ca.gov/listservers/index.html>.

Sincerely,

Chris Davis, Manager
Energy Facilities Siting Office

Enclosure: CD of Application for Certification 11-AFC-4