

# 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

# FOR THE CALICO SOLAR PROJECT COMPLAINT AND INVESTIGATION

Docket No. 11-CAI-01

## NOTICE

OF

# COMMISSION BUSINESS MEETING AND POSSIBLE ADOPTION OF COMMITTEE PROPOSED DECISION

On October 24, 2011, the Committee assigned to the above-captioned matter issued a *[Proposed] Decision Dismissing With Prejudice the Pending Complaint and Investigation Proceedings Against Calico Solar, LLC*. Copies of the proposed decision were sent to the Proof of Service list and may also be viewed on the Commission's internet website at:

## www.energy.ca.gov/sitingcases/calicosolar/investigate/index.html

**PLEASE TAKE NOTICE** that the full Commission will consider the Committee's proposed decision on:

WEDNESDAY, November 30, 2011
Beginning at 10 a.m.

California Energy Commission Hearing Room A 1516 Ninth Street Sacramento, California 95814 **DOCKET**11-CAI-01

DATE Nov. 18 2011

RECD. Nov. 18 2011

The full Commission will consider whether to adopt, modify, or reject the proposed decision. Parties and members of the public may participate and offer oral and written comments on this matter. Identify all written comments with "**Docket No. 11-CAI-01**."

### Participating by Telephone at a Business Meeting

If you want to participate by telephone, call toll free 1-888-823-5065 on November 30, 2011, after 10:01 a.m. (PDT). When asked, please answer "Business Meeting and Mr. Jerome Lee" and the operator will connect you into the meeting. Should you want to speak on a specific item, please inform the operator and provide the item number. The Business Meeting is also broadcast via WebEx, the Energy Commission's on-line meeting service. To listen to the meeting and view any presentations, please paste the following into your browser:

#### https://energy.webex.com/energy/onstage/g.php?t=a&d=927 804 948

You may also go to [https://energy.webex.com/ec] and enter Meeting Number 927 804 948. The meeting password is "mtg@10am."

#### **Public Participation**

The Energy Commission's Public Adviser's Office is available to assist the public in participating at the Business Meeting. For information on how to participate, please contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228 or by e-mail: [publicadviser@energy.state.ca.us].

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz at (916) 654-5146 or e-mail: [lquiroz@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].

Questions of a legal or procedural nature should be directed to Kourtney Vaccaro, the Hearing Adviser, at (916) 654-4328 or e-mail: [kvaccaro@energy.state.ca.us].

Information concerning the Calico Solar Project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet web page at: www.energy.ca.gov/sitingcases/calicosolar/index.html.

Dated: November 18, 2011, at Sacramento, California.

KAREN DOUGLAS

Commissioner and Presiding Member

ROBERT B. WEISENMILLER Chair and Associate Member



# 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

# FOR THE CALICO SOLAR PROJECT COMPLAINT AND INVESTIGATION

### Docket Nos. 11-CAI-01 (Revised 10/28/11)

#### APPLICANT/RESPONDENT

K Road Calico Solar, LLC
Daniel J. O'Shea
Managing Director
Sean Gallagher
\*One Embarcadero Center,
\*Suite 360
\*San Francisco, CA 94111
dano@kroadpower.com
seang@kroadpower.com

#### APPLICANT'S CONSULTANT

URS Corporation
Angela Leiba
AFC Project Manager
4225 Executive Square, #1600
La Jolla, CA 92037
angela\_leiba@URSCorp.com

#### APPLICANT'S COUNSEL

Bingham McCutchen, LLP Ella Foley Gannon Three Embarcadero Center San Francisco, CA 94111 <u>e-mail service preferred</u> ella.gannon@bingham.com

#### **INTERVENOR**

Patrick C. Jackson 600 Darwood Avenue San Dimas, CA 91773 <u>e-mail service preferred</u> ochsjack@earthlink.net

#### **COMPLAINANT**

BNSF Railway Company Cynthia Lea Burch Katten Muchin Rosenman, LLP 2029 Century Park East, Suite 2700 Los Angeles, CA 90067-3012 cynthia.burch@kattenlaw.com

# INTERESTED AGENCIES/ENTITIES/PERSONS

Society for the Conservation of Bighorn Sheep Bob Burke Gary Thomas 1980 East Main Street, #50 Barstow, CA 92311 <u>e-mail service preferred</u> cameracoordinator@sheepsociety.com

Basin and Range Watch Laura Cunningham Kevin Emmerich P.O. Box 70 Beatty, NV 89003 <u>e-mail service preferred</u> atomictoadranch@netzero.net

California Unions for Reliable
Energy (CURE)
c/o Tanya A. Gulesserian
Marc D. Joseph
Adams Broadwell Joseph
& Cardozo
601 Gateway Boulevard,
Suite 1000
South San Francisco, CA 94080
e-mail service preferred
tgulesserian@adamsbroadwell.com

Sierra Club
Gloria D. Smith
Travis Ritchie
85 Second Street, Second floor
San Francisco, CA 94105
e-mail service preferred
gloria.smith@sierraclub.org
travis.ritchie@sierraclub.org

Newberry Community
Service District
c/o Wayne W. Weierbach
P.O. Box 206
Newberry Springs, CA 92365
e-mail service preferred
newberryCSD@gmail.com

Defenders of Wildlife Kim Delfino 1303 J Street, Suite 270 Sacramento, California 95814 <u>e-mail service preferred</u> kdelfino@defenders.org

Defenders of Wildlife
Jeff Aardahl
46600 Old State Highway,
Unit 13
Gualala, California 95445
e-mail service preferred
jaardahl@defenders.org

### INTERESTED AGENCIES/ENTITIES/PERSONS (cont.)

County of San Bernardino Jean-Rene Basle, County Counsel Bart W. Brizzee, Principal Assistant County Counsel 385 N. Arrowhead Avenue, 4th Fl. San Bernardino, CA 92415-0140 bbrizzee@cc.sbcounty.gov

California ISO <u>e-recipient@caiso.com</u>

BLM – Nevada State Office Jim Stobaugh P.O. Box 12000 Reno, NV 89520 jim stobaugh@blm.gov

Bureau of Land Management Joan Patrovsky, Specialist/ Project Manager CDD-Barstow Field Office 2601 Barstow Road Barstow, CA 92311 jpatrovs@blm.gov

California Department of Fish & Game Becky Jones 36431 41st Street East Palmdale, CA 93552 dfgpalm@adelphia.net

California Energy Commission Kerry Willis Senior Staff Counsel Staff Attorney for Calico Amendment proceeding (08-AFC-13C) e-mail service preferred kwillis@energy.state.ca.us California Energy Commission Stephen Adams Senior Staff Counsel Staff Attorney for Calico Amendment proceeding (08-AFC-13C) e-mail service preferred sadams@energy.state.ca.us

California Energy Commission
Craig Hoffman
Project Manager for Calico
Amendment proceeding
(08-AFC-13C)
e-mail service preferred
choffman@energy.state.ca.us

California Energy Commission Caryn Holmes Staff Counsel IV <u>e-mail service preferred</u> cholmes@energy.state.ca.us ENERGY COMMISSION SITING COMMITTEE, COMMITTEE ADVISERS, HEARING OFFICER

KAREN DOUGLAS
Commissioner and Presiding Member
<u>e-mail service preferred</u>
kldougla@energy.state.ca.us

ROBERT B. WEISENMILLER Chair and Associate Member <u>e-mail service preferred</u> rweisenm@energy.state.ca.us

Kourtney Vaccaro
Hearing Officer
<u>e-mail service preferred</u>
kvaccaro@energy.state.ca.us

Galen Lemei, Adviser to Commissioner Douglas <u>e-mail service preferred</u> glemei@energy.state.ca.us

Eileen Allen, Adviser to Chair Weisenmiller <u>e-mail service preferred</u> eallen@energy.state.ca.us

#### **ENERGY COMMISSION STAFF**

Christine Stora
Project Manager
<u>e-mail service preferred</u>
cstora@energy.state.ca.us

Kevin W. Bell Senior Staff Counsel <u>e-mail service preferred</u> kwbell@energy.state.ca.us

#### **PUBLIC ADVISER**

Jennifer Jennings
Public Adviser

<u>e-mail service preferred</u>

publicadviser@energy.state.us

#### **DECLARATION OF SERVICE**

I, RoseMary Avalos, declare that on November 18, 2011, I served and filed copies of the attached NOTICE OF COMMISSION BUSINESS MEETING AND POSSIBLE ADOPTION OF COMMITTEE PROPOSED DECISION, dated November 18, 2011. The original document, filed with the Docket Unit or the Chief Counsel, as required by the applicable regulation, 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/calicosolar/investigate/index.html].

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

## (Check all that Apply)

| For service to all other parties: |  |
|-----------------------------------|--|
| Χ                                 | Served electronically to all e-mail addresses on the Proof of Service list;  |
| X<br>AND                          | Served by delivering on this date, either personally, or for mailing with the U.S. 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 <b>NOT</b> marked "e-mail preferred." |
| For filir                         | ng with the Docket Unit at the Energy Commission:  |
| X                                 | by sending an original paper copy and one electronic copy, mailed with the U.S. Postal Service with first class postage thereon fully prepaid and e-mailed respectively, to the address below (preferred method); <i>OR</i>  |

#### CALIFORNIA ENERGY COMMISSION - DOCKET UNIT

Attn: Docket No. 11-CAI-01 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512 docket@energy.state.ca.us

by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class

#### OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, §§ 1720

postage thereon fully prepaid, as follows:

Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission Michael J. Levy, Chief Counsel 1516 Ninth Street MS-14 Sacramento, CA 95814 mlevy@energy.state.ca.us

I declare under penalty of perjury under the laws of the State of California 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