

STATE OF CALIFORNIA

ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of: )  
 )  
Application for Certification for the )  
Hidden Hills Solar Electric Generating )  
System )

Docket No. 11-AFC-2

**HIDDEN HILLS SOLAR ELECTRIC GENERATING SYSTEM  
STATUS REPORT #4**

The Committee Scheduling Order issued on November 16, 2011, requested that the parties file monthly status reports to inform the Committee on the progress of the case. This Status Report for the Hidden Hills Solar Electric Generating System ("HHSEGS"), filed by Hidden Hills Solar I, LLC and Hidden Hills Solar II, LLC (collectively, the "Applicant"), provides a status of the proceeding since the issuance of Status Report #3 dated March 15, 2012.

As a result of the Status Conference held on April 3, 2012, while a revised order has not yet been published, Applicant understands that the issuance of the Preliminary Staff Assessment (PSA) will be extended to either May 14, 2012, as requested by the Applicant, or June 1, 2012, as requested by Staff. Staff will issue a complete PSA. As discussed at the April 3 Status Conference, giving Staff more time than set forth in the Committee's current scheduling order to prepare the PSA will accelerate the issuance of the Final Staff Assessment (FSA), which is scheduled to be released on August 1<sup>st</sup>. It is crucial that this FSA publication date holds true. The August 1<sup>st</sup> FSA issuance date is essential for ensuring that a decision on the project can be rendered by the end of the year. While Applicant remains concerned about the delayed issuance of the PSA, it will continue to support Staff in its preparation of the document.

On April 5, 2012, Staff issued Data Requests Set 2E. This is the ninth set of formal Data Requests issued on the project.<sup>1</sup> These Data Requests were issued after the discovery period provided for in the Commission's regulations had closed. While Applicant will rightfully object to Set 2E as untimely, based on the express understanding that answering these Data Requests will not further delay either the PSA or the FSA, Applicant will provide responses, without waiving its objections.

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<sup>1</sup> To its credit, in an effort to expedite information exchanges, Staff has also issued a number of informal Data Requests, responses to which have been filed and served on all parties. Applicant greatly appreciates efforts such as these by Staff to expedite the information exchanges to the benefit of all parties.

Applicant's cultural resources experts, CEC Staff, and BLM cultural resources staff have discussed CEC Staff's concerns regarding Data Requests and Data Responses to which the Applicant has previously objected. Specifically, as a result of the latest meeting, the scope of Data Requests 105 and 106 was clarified, and CEC, BLM, and Applicant cultural resources staffs reached agreement on the extent of the Project Area of Analysis (PAA). To accommodate the informational needs of both the CEC's certified regulatory program for HHSEGS and the BLM's review of HHSEGS as a "connected action" to the VEA application pending before the BLM pursuant to NEPA, the area will include a limited portion of the Stateline Fault System located west of the project site in Nevada.<sup>2</sup> Applicant is preparing a technical memorandum on this area, and the distribution and types of major land surface units and resources that, in turn, could have different cultural resources management implications. As agreed to by CEC Staff and the BLM, Applicant will provide the agencies with the technical memorandum by May 7<sup>th</sup>.

In addition, Applicant's Data Response 127 (Applicant's research design for Phase 2 testing of cultural sites within the HHSEGS project boundary) was discussed on April 10<sup>th</sup>. It was agreed that two sites, one in California and one in Nevada, need not be tested and that testing of a third site that extends across the state line be limited to the larger, California portion of the site. Phase 2 testing of the remaining six sites will begin the week of April 23<sup>rd</sup>. A technical memorandum summarizing the Phase 2 testing results will be submitted to CEC Staff and the BLM by May 7<sup>th</sup>. An additional report of the Phase 2 testing results will follow, again with the understanding that it will not delay Staff preparation of the PSA or FSA.

Applicant's recent update to its Data Response 125 (a draft technical report on historic roads and trails),<sup>3</sup> was also discussed with CEC Staff, the BLM, and Applicant's cultural resources experts. Applicant was advised during the meeting that the BLM and CEC Staff would have comments on the report, which was submitted on March 30. CEC Staff and the BLM cultural resources staff further agreed to coordinate their input on the draft. Applicant requires the input from both agencies so that it can conclude the requested report.

Applicant understands that an issues resolution workshop will be scheduled for April 26<sup>th</sup> in Sacramento. Issues to be discussed at the workshop may include: Soil and Water Resources, Biology, Socioeconomics, Alternatives, Transmission System Engineering, Land Use, Traffic and Transportation, Visual, and Worker Safety and Fire Protection. It is anticipated that Staff's few remaining issues can be addressed at this workshop to enable Staff to complete its PSA.

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<sup>2</sup> Notwithstanding this agreement among the technical staffs for the Applicant and the state and federal agencies, Applicant notes that the scope of the Commission's authority remains subject to the express limitations set forth in Public Resources Code Section 21080(b)(14).

<sup>3</sup> Applicant had previously objected to Data Request 125, but agreed to provide additional information to the extent available without waiving its prior objection.

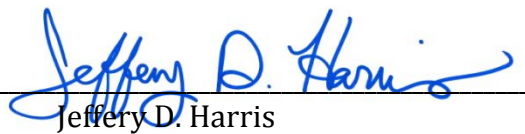
## CONCLUSION

Applicant appreciates the effort Staff is making in completing the PSA and looks forward to timely completion of this proceeding.

April 16, 2012

Respectfully submitted,

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STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

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HILLS SOLAR ELECTRIC GENERATING	)	Docket No. 11-AFC-2
SYSTEM PROJECT	)	
_____	)	

**PROOF OF SERVICE**

I, Karen A. Mitchell, declare that on April 16, 2012, I served the attached HIDDEN  
HILLS SOLAR ELECTRIC GENERATING SYSTEM STATUS REPORT #4 via electronic and  
U.S. mail to all parties on the attached service list.

I declare under the penalty of perjury that the foregoing is true and correct.



\_\_\_\_\_  
Karen A. Mitchell

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