

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-02

**REQUEST FOR IMMEDIATE RECTIFICATION OF ERRORS
IN HIDDEN HILLS AFC PROJECT DATA**

Due to questions recently raised regarding applicant's traffic projections for the proposed project, applicant admitted at a CEC sponsored workshop held on June 14, 2012, that traffic projection data for truck deliveries contained in the AFC files are in error.

At the time, the source and/or reasons for the erroneous data were not fully understood but applicant explained "daily" numbers were really "monthly" numbers and summarized by stating that the "384 *daily maximum delivery trucks*" illustrated in the AFC files⁽¹⁾ were actually only about "180 *delivery trucks per day*". Applicant also stated that this error would be corrected in future "peak" construction traffic analysis tables.

The applicant's newest assertion results in the loss of approximately 200 daily truck deliveries from the "maximum" calculations submitted in the AFC files, which in truth was not a maximum but an "average" generated from a 12-month peak rolling average.

Obviously, this is a very significant error that has yet to be fully explained or its ramifications fully explored.

While the applicant's new information purports significant reductions in daily truck deliveries and is highly advantageous to applicant with regards to questions raised regarding their traffic analysis, applicant's revised reductions in daily truck deliveries are not supported at multiple locations within the AFC files.

(1) Appendix 5-1F, Hidden Hills On-Road Truck Emissions, pdf. pg. 18.

The first of these is the previously referenced On-Road Truck Emissions chart. Here, applicant supports the maximum daily figure of 384 delivery trucks by multiplying 100 round trip miles per day for a sum total of 38,444 daily miles; this total is then used by the applicant as the foundation for determining daily truck delivery emissions. If the figure of 384 trucks per day is not accurate, then neither is the applicant's daily truck delivery emissions estimates.

The second location of the applicant's original AFC truck delivery data now in question is located in AFC files Table 5.12-4, Peak Construction Trip Generation. Here, applicant reports 834 daily delivery truck trips during Month 14. This number represents total daily truck trips by combining each trucks entry and exit for traffic analysis purposes. In other words, each truck is counted twice, once on entry and once on exit. Therefore, the actual number of daily delivery trucks is only half of the 834 daily delivery truck trips or 417 actual trucks per day.

It is not clear why applicant has stated that "Peak Construction Trip Generation" occurs in Month 14, then applied Month 16's truck deliveries of 417 and workforce numbers of 1,033 in their analysis. However, we will assume this was also an error resulting from transposing the number 14 with the number 16. Setting this error aside, applicant did accurately reflect the "peak" of combined truck deliveries and workforce numbers found in Month 16⁽¹⁾. However, this indicates that the applicant's use of the 417 truck deliveries to generate 834 daily truck trips in Table 5.12-4 is now also in dispute.

The fact that applicant provides a daily breakdown of workforce numbers per shift totaling 1,033 per day, then adds 834 daily truck trips for a total of 2,744 daily trips in Table 5.12-4, (including assumptions that 47 trucks per hour will be spread out evenly over a 12 hour period per day), also appears to validate the original AFC data was considered by applicant as accurate until recently.

The third location applicant used to support original AFC daily truck delivery data is found in AFC 5.12 Traffic, Table 5.12-6, Construction Delivery Schedule (Number of Trucks/Trips By Month) pdf. pp. 17. Here applicant reaffirms numbers reflected in this table are for daily trips, not monthly trips as applicant is now claiming. Table 5.12-6 clearly defines daily trips in and out and multiplies the number of trucks per day by two. In other words, the peak of daily truck deliveries in Month 5 reported at 717 trucks per day is calculated as 1,434 daily trips in and out. This pattern of applicant affirming daily trip data is repeated throughout the entire table.

(1) Appendix 5-1F, Construction Emissions Analysis, Hidden Hills Construction Worker and Deliveries Schedule, pdf. pp. 14.

Yet if applicant's recent explanation is correctly understood, it seems the applicant is trying to confuse the number of daily trucks occurring in each month (which changes due to changes in construction schedules) as now representing the total number of delivery trucks occurring throughout the entire month but not on a daily basis.

If this newly revised formula for determining monthly truck totals is the correct method for determining daily truck calculations, then in Month 5 when the applicant is reporting that 717 trucks would be spread throughout the entire month, the daily number of trucks based on a 4 week, 6 day work week⁽¹⁾ would merely equal 30 trucks per day.

Obviously, the daily truck numbers projected by the applicant in Month 5 are significantly higher than the daily truck traffic estimated for Month 16 (417 trucks instead). In turn, Month 16's 417 trucks are also higher than the applicant's previous maximum average of 384 trucks per day now being reported at only 180 trucks per day.

If Month 5's 717 trucks only equal 30 trucks per day at their highest reported peak, then how did the applicant determine 384 trucks is really 180 trucks per day when they are working with about half the number of Month 5's trucks?

Or conversely, if the 12-month peak rolling average of 384 trucks per day is really 180 trucks per day, then based on the same 4 week, 6 day work week schedule, actual monthly truck totals alone would equal 4,320. Nowhere in the applicant's construction schedules do they provide a monthly delivery truck estimate that is anywhere close to this figure.

Based on the statements of facts set forth above, either the applicant has made serious multiple errors throughout the AFC files by reporting "daily" totals that were really "monthly" totals or the applicant is attempting to deflect true traffic impacts by disputing their own data – without any supporting evidence to lend credibility to their own dispute.

In either case, applicant has a responsibility to rectify this situation and correct any and all errors contained within the AFC files. Applicant should also do so in a timely manner that allows sufficient time (at least a week) for meaningful analysis by interested parties prior to the close of the public comment period for the CEC's Preliminary Staff Assessment on July 6, 2012. This will insure comments are both relevant and accurate for Staff as they formulate their Final Assessment.

(1) This work schedule assumes the same work 288 days per year used by applicant in some of the emissions calculations.

At minimum, these corrections should provide a detailed explanation as to why applicant is now disputing the accuracy of their own daily truck delivery estimates found at several locations in the AFC files, how those errors were made, what was the original information and methods used to determine truck delivery data now cited as being in error and what new information and methods were used to discover those errors.

Due to the fact that applicant has potentially lost credibility regarding their AFC data and subsequent analysis, if applicant's data reflects "monthly" totals versus the originally reported "daily" totals, applicant should clearly provide a breakdown of the number of delivery truck totals per month, per week and per day over the entire 29-month construction period.

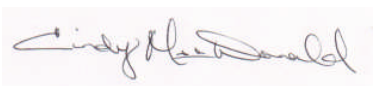
With respect to the daily workforce figures, this data is now also in question as applicant may have made the same errors they are now disputing the accuracy of regarding their truck delivery data. Therefore, applicant should include analysis, detailed reports, figures, and methods used to determine monthly, weekly and daily workforce totals. If applicant is able to prove workforce totals are still accurate, they also need to explain why the workforce data remained accurate even if daily truck delivery data is not.

Obviously, if applicant is able to provide revised and accurate figures that clearly support daily truck and workforce revisions, then all subsequent data and analysis based on the AFC's original erroneous information must be rectified. This would include, but is not limited to, air emissions calculations, construction and workforce schedules and all tables reflecting traffic analysis impacts.

Finally, applicant should also provide separate data with respect to the number of delivery trucks that will be carrying hazardous materials as these trucks fall under special consideration for vehicle routes due to California Vehicle Code Section 31303, which require these trucks to travel the shortest overall transit time possible.

In conclusion, while I appreciate the magnitude of what correcting these errors might entail, I hope the applicant understands the critical need for having accurate data and clearly defined explanations for how that data was derived in order to evaluate and potentially mitigate the proposed projects impacts.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cindy MacDonald", written in black ink on a light-colored background.

Cindy MacDonald



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**APPLICATION FOR CERTIFICATION
FOR THE *HIDDEN HILLS SOLAR ELECTRIC
GENERATING SYSTEM***

DOCKET NO. 11-AFC-02

**PROOF OF SERVICE
(Revised 6/5/2012)**

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DECLARATION OF SERVICE

I, Cindy R. MacDonald, declare that on June 18, 2012, I served and filed copies of the attached Request for Immediate Rectification of Errors In Hidden Hills AFC Project Data, dated June 18th, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: www.energy.ca.gov/sitingcases/hiddenhills/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:

- X Served electronically to all e-mail addresses on the Proof of Service list;
- 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 **NOT** marked "e-mail preferred."

AND

For filing with the Docket Unit at the Energy Commission:

- X by sending an electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT

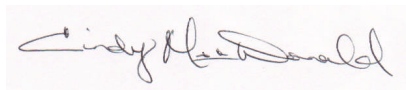
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docket@energy.ca.gov

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

- 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:

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



Cindy R. MacDonald