

**STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION**

Minutes of the July 16, 2008, California Energy Commission Business Meeting.

The meeting was called to order at 10:07 by Chairman Jackalyne Pfannenstiel. The Pledge of Allegiance was led by Chairman Pfannenstiel.

Present:

Jackalyne Pfannenstiel, Chairman
James D. Boyd, Vice Chair
Arthur H. Rosenfeld, Commissioner
Jeffrey D. Byron, Commissioner
Karen Douglas, Commissioner

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A Commissioner may request that an item be moved and discussed later in the meeting.)

Item 1b was moved from the Consent Calendar for later discussion.

- a. CALIFORNIA ENVIRONMENTAL EDUCATION INTERAGENCY NETWORK (CEEIN). Possible approval of \$1,000 to CEEIN for FY 2008-09 to support state educational activities. CEEIN is a state government consortium of environmental educators representing departments, boards and commissions of the Resources Agency; Department of Food and Agriculture, California Environmental Protection Agency; Department of Education, U.S. Environmental Protection Agency, and the Sierra Club, to address statewide environmental education efforts. Contact: Chris Graillat.

Commissioner Rosenfeld moved and Commissioner Byron seconded approval of the Consent Calendar. The vote was unanimous. (5-0)

- b. CITY OF RIVERSIDE. Possible approval of the Executive Director's recommendation that the City of Riverside's contract with Shoshone Renaissance, LLC be found compliant with the Emission Performance Standard for Local Publicly Owned Electric Utilities (California Code of Regulations, Title 20, Chapter 11, Article 1, Sections 2900-2913). Contact: David Vidaver.

Commissioner Byron moved and Commissioner Rosenfeld seconded approval of the Executive Director's recommendation. The vote was unanimous. (5-0)

2. VICTORVILLE II HYBRID POWER PROJECT (07-AFC-1). Possible adoption of the Presiding Member's Proposed Decision and Errata for the Victorville II Hybrid Power Project. Contact: John Kessler. (5 minutes)

Commissioner Boyd moved and Commissioner Rosenfeld seconded approval of the Presiding Member's Proposed Decision, Amendments and Errata. The vote was unanimous. (5-0)

3. CALISTOGA POWER PLANT NO. 1 (81-AFC-1C). Possible approval of an amendment to the Commission Decision for the Calistoga Power Plant (formerly known as the Occidental (OXY) Geothermal Power Plant No. 1) to change Condition of Certification Biological Resources 5-4, regarding boron drift monitoring to allow the Compliance Project Manager the discretion to confirm, in writing, that further boron drift testing is not required. Contact: Donna Stone. (5 minutes)

Commissioner Byron moved and Commissioner Douglas seconded approval of the amendment to the Commission Decision. The vote was unanimous. (5-0)

4. ORANGE GROVE POWER PLANT PROJECT (08-AFC-4). Contact: Felicia Miller. (5 minutes)

- a. Possible approval of the Executive Director's data adequacy recommendation for the Orange Grove Energy's Application for Certification for the Orange Grove Power Plant Project.

Commissioner Boyd moved and Commissioner Rosenfeld seconded approval of the Executive Director's recommendation that the AFC be found to contain adequate data. The vote was unanimous. (5-0)

- b. Possible appointment of a siting committee for the Orange Grove project.

Chairman Pfannenstiel appointed Commissioner Boyd presiding member and Commissioner Rosenfeld second member of the siting committee for the Orange Grove project. Commissioner Byron moved and Commissioner Douglas seconded approval of the appointment. The vote was unanimous. (5-0)

5. MARSH LANDING GENERATING STATION (08-AFC-3). Contact: Mike Monasmith. (5 minutes)

- a. Possible approval of the Executive Director's data adequacy recommendation for Mirant Marsh Landing, LLC's Application for Certification for the Marsh Landing Generating Station.

Commissioner Douglas moved and Commissioner Byron seconded approval of the Executive Director's recommendation that the project be found data inadequate at this time. The vote was unanimous. (5-0)

- b. Possible appointment of a siting committee for the Marsh Landing project.

No action was taken on Item 5b.

6. SYNAPSE ENERGY ECONOMICS, INC. Possible approval of Work Authorization MR-026 under Contract 500-02-004, not to exceed \$350,000, to develop a credible method to quantify the air quality benefits from measures that reduce energy use in California. The project will develop a framework for California air districts to quantify and validate emission reductions from specific energy and peak demand reduction,

Commissioner Boyd moved and Commissioner Rosenfeld seconded approval of Work Authorization MR-026. The vote was unanimous. (5-0)

7. **Minutes**

Approval of the July 2, 2008, Business Meeting Minutes.

Commissioner Rosenfeld moved and Commissioner Douglas seconded approval of the Minutes. The vote was 3-0-2. Chairman Pfannenstiel and Vice Chair Boyd abstained.

8. **Commission Committee Presentations/Discussion** – None.

9. **Chief Counsel's Report** – Chief Counsel Bill Chamberlain gave the report.

10. **Executive Director's Report** - None.

11. **Legislative Director's Report** – None.

12. **Public Adviser's Report** – Public Adviser Elena Miller introduced Loreen McMahon, newly-appointed Associate Public Adviser.

13. **Public Comment** – None.

There being no further business, the meeting was adjourned to a closed session on legal matters pursuant to Government Code Section 11126.

Appearances:

Mr. Mike Carroll, Latham & Watkins, LLP
Mr. Marc D. Joseph, Adams, Broadwell, Joseph & Cardozo
Mr. Thomas M. Barnett, Inland Energy
Mr. Kevin Dayton, Associated Builders and Contractors
Mr. Jeffrey D. Harris, Ellison, Schneider, Harris LLP
Mr. Terry Caldwell, Mayor, City of Victorville
Ms. Jane Luckhardt, Downey Brand
Mr. Jonathan A. Sacks, Mirant Marsh Landing

Respectfully submitted,

HARRIET KALLEMEYN
Secretary to the Commission