



February 13, 2012

9:00 a.m

1516 Ninth Street  
Hearing Room A – First Floor  
Sacramento, California 95814  
(Wheelchair Accessible)

**THE COMMISSION WILL CONSIDER THE FOLLOWING ITEMS:**

1. COMPLAINT AGAINST ORMAT NEVADA, INC. BROUGHT BY CALIFORNIA UNIONS FOR RELIABLE ENERGY (11-CAI-02). Possible approval of Proposed Order on a Petition for Reconsideration of the Energy Commission's decision of December 5, 2011, to dismiss California Unions for Reliable Energy's (CURE) Complaint and Request for Investigation. (Docket No. 11-CAI-02), Order No. 11-1130-4.  
Contact: Jennifer Martin-Gallardo. (20 minutes.)
2. **Chief Counsel's Report:** The Energy Commission may adjourn to closed session with its legal counsel [Government Code Section 11126(e)] to discuss any of the following matters to which the Energy Commission is a party:
  - a. *In the Matter of U.S. Department of Energy (High Level Waste Repository)*, (Atomic Safety Licensing Board, CAB-04, 63-001-HLW);
  - b. *Public Utilities Commission of California* (Federal Energy Regulatory Commission, Docket No. EL10-64-000); *and Southern California Edison Company, et al.* (Federal Energy Regulatory Commission, Docket No. EL10-66-000);
  - c. *BNSF Railway Company v. US Department of Interior, California Energy Commission* (U.S. District Court Central District of California-Riverside, CV 10-10057 SVW (PJWx));
  - d. *Richard Latteri v. Energy Resources, Conservation and Development Commission, et al.* (Sacramento County Superior Court, 34-2011-99985);
  - e. *Communities for a Better Environment, Robert Sarvey v. California Public Utilities Commission, Energy Resources Conservation and Development Commission, Real Parties in Interest, Pacific Gas and Electric Company, Contra Costa Generating Station, LLC* (California Supreme Court, S194079).

The Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation; or that constitute a significant exposure to litigation against the Commission.

3. **Public Comment:** People may speak up to five minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

If you require special accommodations, contact Lourdes Quiroz at 916-654-5146, five days before the meeting.

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News media inquiries should be directed to:

Media and Public Communications - 916-654-4989

Questions about participation in the Business Meeting should be directed to:

Public Adviser's Office - 916-654-4489 or 800-822-6228

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### **Participating by Telephone at a Business Meeting**

If you want to participate by telephone, call toll free 1-888-823-5065 on Business Meeting days after 10:01 a.m. (PDT). When asked for your pass code and call leader's name, please answer "Business Meeting and Jerome Lee" and the operator will connect you into the meeting. Should you wish to speak on a specific item, please inform the operator and provide the item number.

**Please note that while the Energy Commission affords members of the public the opportunity to participate by telephone, the Commission strongly encourages public comments to be made in person because there are occasional technical problems with the Commission's telephone link. The Commission will make every effort to avoid these problems; however, it is the responsibility of the person wishing to make a comment to ensure that such comment is received by the Commission. If you intend to make comments by phone, the Commission recommends that a written comment also be submitted either by facsimile or e-mail to the Public Adviser by 5 p.m. two days before the scheduled business meeting. Fax (916) 654-4493 or e-mail [publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us).**

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<https://energy.webex.com/energy/onstage/g.php?t=a&d=924210669>

You may also go to <https://energy.webex.com/ec> and enter Meeting Number 924 210 669. The meeting password is **meet@9am**.

The Energy Commission building has wireless Internet access available in the atrium, coffee shop, and library.

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**Adjournment of Hearings and Meetings:** Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code §§11128.5, 11129.)