



Revised Agenda

September 22, 2015

1516 Ninth Street
Art Rosenfeld Hearing Room – First Floor
Sacramento, California 95814

9:30 a.m.

(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:

1. **CARLSBAD ENERGY CENTER PROJECT AMENDMENTS (07-AFC-06C).**
 - a. Possible approval of an order granting or denying upon the petitions for reconsideration filed by Robert Simpson and Robert Sarvey on September 2, 2015. On July 30, 2015, the Commission approved proposed amendments which change the approved project from a 540 megawatt (MW) combined-cycle to a 632 MW simple-cycle power generation facility. The amended project would be located on the eastern portion of the existing Encina Power Station between Carlsbad Boulevard and Interstate-5, east of the railroad corridor and south of the Agua Hedionda Lagoon, in Carlsbad. Contact: Paul Kramer. (Staff presentation: 10 minutes)
 - b. Possible consideration of the Motion to Reissue Notice of Presiding Member's Proposed Decision (PMPD) and Reopen Evidentiary Record to Accept Revised Final Determination of Compliance (FDOC), filed by Rob Simpson on September 11, 2015. (Staff presentation: 10 minutes)
 - c. Possible closed session deliberation on the above described petitions for reconsideration and motion. [Government Code Section 11126(c)(3)].
2. **Lead Commissioner or Presiding Member Reports.** A Lead Commissioner on a policy matter may report to the Commission on the matter and discussion may follow. A Presiding Member on a delegated committee may report to the Commission on the matter and discussion may follow.
3. **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. *Communities for a Better Environment and Center for Biological Diversity v. Energy Commission* (Court of Appeal, First Appellate District, # A141299).

- c. *Energy Commission v. SoloPower, Inc. and SPower, LLC.* (Sacramento County Superior Court # 34-2013-00154569)

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.

4. **Executive Director's Report.**
5. **Public Adviser's Report.**
6. **Public Comment:** People may speak up to three 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.

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