State Of California | The Resources Agency of California

Memorandum

Date: December 6, 2010
Telephone: (916) 654-4781
File: 09-AFC-3

DOCKET
09-AFC-3
DATE DEC 06 2010
RECD DEC 06 2010

To: Commissioner Jeffrey Byron, Presiding Member
Commissioner Robert Weisenmiller, Associate Member
Ken Celli, Hearing Officer

From: California Energy Commission - Craig Hoffman
1516 Ninth Street
Sacramento, CA 95814-5512
Siting Project Manager

Subject: **Mariposa Energy Project (09-AFC-3)**
Project Status Report #12

Pursuant to the Committee Scheduling Order dated October 29, 2010, the following is staff's Status Report #12 for the proposed Mariposa Energy Project (MEP).

Project Schedule

The Staff Assessment was published on November 8, 2010. Staff is currently working on the Supplemental Staff Assessment that will be published in as timely manner as possible. Staff will incorporate comments from the intervenors and public as necessary into the Supplemental Staff Assessment. The four intervenors in this proceeding, the Mountain House Community and surrounding residents have been very active and engaged in the process.

Jass Singh, a Mountain House Community Services District Board Director, has indicated his intention to file as an intervenor as well. Their comments and participation have created a robust administrative record and will ultimately help create a well balanced staff document.

Comments Received on the Staff Assessment

The following list provides comments received to date and the section commented on.

The Mariposa Applicant provided comments on the Staff Assessment on November 24, 2010. The majority of the comments were minor clarifications and requested modifications. Comments were provided on air quality, biological resources, hazardous materials, land use, noise and vibration, public health, socioeconomics, soil and water resources, traffic and transportation, transmission line safety and nuisance and visual resources.

Byron Bethany Irrigation District provided comments on soils and water resources.

Intervenor Rajesh Dighe has provided oral and written comments on air quality, alternatives, public health, socioeconomics and traffic and transportation.

PROOF OF SERVICE (REVISED 10/20/10) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 12/6/10
HA

Jass Singh has provided oral comments on air quality and socioeconomics.

Intervenor Bob Sarvey has provided oral comments on air quality and biological resources.

Intervenor Morgan Groover has provided oral comments on air quality and public health.

Intervenor Andy Wilson has provided comments on public health and traffic and transportation.

Staff anticipates additional comments by the intervenors and public.

Supplemental Staff Assessment

Based upon the high level of public participation and expected comments filed by intervenors and the public by December 9, 2010, staff anticipates that it will need additional time to respond to comments and incorporate them into the Supplemental Staff Assessment. Presently, the Committee schedule indicates that staff would have only one working day to review and respond to comments in order to publish by December 13, 2010. Staff requests an extension of the Supplemental Staff Assessment publication date to December 16, 2010. The applicant has been informed of the extension and has no objections.

Staff anticipates the following sections being included in the Supplemental Staff Assessment: air quality, alternatives, biological resources, hazardous materials, land use, noise and vibration, project description, public health, socioeconomics, soil and water resources, traffic and transportation, transmission line safety and nuisance, transmission system engineering and visual resources.

cc: Proof of Service List
Docket 09-AFC-3

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION FOR THE *MARIPOSA ENERGY PROJECT* (MEP)

Docket No. 09-AFC-3

PROOF OF SERVICE
(Revised 10/20/2010)

APPLICANT

Bo Buchynsky
Diamond Generating Corporation
333 South Grand Avenue, #1570
Los Angeles, California 90071
b.buchynsky@dgc-us.com

APPLICANT'S CONSULTANTS

Doug Urry
2485 Natomas Park Dr #600
Sacramento, CA 95833-2975
Doug.Urry@CH2M.com

COUNSEL FOR APPLICANT

Gregg Wheatland
Ellison, Schneider & Harris L.L.P.
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816-5905
glw@eslawfirm.com

INTERESTED AGENCIES

California ISO
E-mail Service Preferred
e-recipient@caiso.com

INTERVENORS

Mr. Robert Sarvey
501 W. Grantline Road
Tracy, California 95376
Sarveybob@aol.com

***California Pilots Association**
c/o Andy Wilson
31438 Greenbrier Lane
Hayward, CA 94544
andy_psi@sbcglobal.net

Rajesh Dighe
395 W. Conejo Avenue
Mountain House, California 95391
dighe.rajesh@gmail.com

Morgan K. Groover
Development Director
Mountain House Community
Services District
230 S. Sterling Drive, Suite 100
Mountain House, CA 95391
mgroover@sjgov.org

ENERGY COMMISSION

JEFFREY D. BYRON
Commissioner and Presiding Member
jbyron@energy.state.ca.us

ROBERT B. WEISENMILLER
Commissioner and Associate Member
rweisenm@energy.state.ca.us

Kenneth Celli
Hearing Officer
kcelli@energy.state.ca.us

Kristy Chew
Advisor to Commissioner Byron
E-Mail Service preferred
kchew@energy.state.ca.us

Craig Hoffman
Siting Project Manager
choffman@energy.state.ca.us

Kerry Willis
Staff Counsel
kwillis@energy.state.ca.us

Jennifer Jennings
Public Adviser
publicadviser@energy.state.ca.us

*indicates change

DECLARATION OF SERVICE

I, Hilarie Anderson, declare that on December 6, 2010, I served and filed copies of the attached Status Report #12. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:
[http://www.energy.ca.gov/sitingcases/mariposa/index.html].
The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(***Check all that Apply***)

FOR SERVICE TO ALL OTHER PARTIES:

_X_ sent electronically to all email addresses on the Proof of Service list;

____ by personal delivery;

_X_ by delivering on this date, for mailing with the United States 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 "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

_X_ **sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);**

OR

____ depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 09-AFC-3
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original Signed by:
Hilarie Anderson