

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF:

**APPLICATION FOR CERTIFICATION FOR THE
*AVENAL ENERGY PROJECT***

DOCKET No. 08-AFC-1

COMMITTEE SCHEDULING ORDER

On, April 16, 2008, the Energy Commission accepted the Application for Certification (AFC) of the Avenal Power Center, LLC (Avenal Power) for the Avenal Energy project under the twelve-month review process established by Public Resources Code section 25540.6. The Energy Commission assigned a Committee of two Commissioners to conduct proceedings on the AFC. The Committee held a public informational hearing in the City of Avenal on May 20, 2008, to discuss the review process and to identify issues that could affect the schedule.

We have adopted the attached Committee Schedule based on discussion at the informational hearing. The schedule contains a list of events that must occur in order to complete the certification process within twelve months. This is an initial schedule, which only includes the period up to the Prehearing Conference. The balance of the schedule will be determined at the Prehearing Conference.

Several deadlines are contingent upon reviews to be conducted by federal, state, and local agencies. The Applicant, Avenal Power Center, LLC, must provide sufficient review time for the responsible agencies to meet the deadlines specified in the schedule.

Technical issues regarding air quality and transmission system engineering are pending. The parties indicated that resolution of these issues would be addressed during the data

exchange process and in public meetings with the San Joaquin Valley Air Pollution Control District, and completion of the Cal-ISO System Impact Study.

Given the complexities involved in resolving some of these issues, the parties are on notice that we may modify the schedule at any time upon either our own motion or that of a party. [Cal. Code Regs., tit. 20, § 1709(c).]

The schedule requires periodic status reports to determine whether case development is progressing satisfactorily, and to bring potential schedule delays or other relevant matters to our attention. The burden is on the Applicant to produce the necessary data according to schedule. If there are delays, we will adopt a performance approach resulting in a commensurate slip of the schedule.

Dated: May 27, 2008, at Sacramento, California.

Original signed by
JEFFREY D. BYRON
Commissioner and Presiding Member
Avenal AFC Committee

Original signed by
ARTHUR H. ROSENFELD
Commissioner and Associate Member
Avenal AFC Committee

**COMMITTEE SCHEDULE
FOR
AVENAL ENERGY**

DATE	EVENT
April 16, 2008	AFC data adequate
May 23, 2008	Staff files data requests – Set 1
June 23, 2008*	Applicant files responses to Staff data requests
June 25, 2008	Data Response and Issues Workshop
June 30, 2008	Parties file Status Report #1
July 2, 2008	Data response workshop
August 14, 2008	Local, State and Federal Agency draft determinations, including air district's Preliminary Determination of Compliance (PDOC) filed
August 30, 2008	Parties file Status Report #2
September 15, 2008	Staff files Preliminary Staff Analysis (PSA)
October 6, 2008	Staff conducts PSA workshop
October 13, 2008	Local, State and Federal Agency final determinations filed
October 30, 2008	Parties file Status Report #3
November 12, 2008	Staff files Final Staff Assessment (FSA)
Tbd	Prehearing Conference
Tbd	Evidentiary Hearings
Tbd	Presiding Member's Proposed Decision Issued for 30-day Comment Period
Tbd	PMPD Committee Conference
Tbd	Commission Adoption Hearing

* Or due 30 days after receiving data requests

Tbd = to be determined