

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

IN THE MATTER OF:

**BLYTHE ENERGY PROJECT
TRANSMISSION LINE MODIFICATION**

DOCKET No. 99-AFC-8C

NOTICE OF PREHEARING CONFERENCE

PLEASE TAKE NOTICE that the Committee designated to conduct proceedings on the Petition to Modify the Blythe Energy Power Plant Project (Transmission Line Modification) will hold a Prehearing Conference as follows:

MONDAY, July 31, 2006
Beginning at 10 a.m.
First Floor, Hearing Room B
California Energy Commission
1516 9th Street
Sacramento, CA
[Wheelchair Accessible]

Purpose of Prehearing Conference

The Prehearing Conference is a public forum where the Committee will assess the parties' readiness for evidentiary hearings, identify areas of agreement or dispute, and discuss the remaining schedule and procedures necessary to conclude the certification process. (Cal. Code of Regs., tit. 20, §1718.5.)

After the evidentiary hearings, the Energy Commission, Bureau of Land Management (BLM), and Western Area Power Administration (WAPA) will jointly prepare an Environmental Assessment for the project to conform with the requirements of the California Environmental Quality Act (CEQA) and the

National Environmental Policy Act (NEPA). The staffs of the federal BLM and WAPA are expected to participate and represent their respective agencies.

At the Prehearing Conference, all parties (Staff, Applicant, and Intervenors) shall present their respective positions regarding: the substantive topic areas ready for evidentiary hearings; those that require further analysis, including the nature of, and timeframe for, any such analysis; the topic areas that have been resolved; and the topic areas that are disputed and require adjudication. The parties shall also identify proposed witnesses, as well as the time required for direct testimony and/or cross-examination.

Local, state, and federal governmental agencies may participate at the Prehearing Conference as necessary. (Cal. Code of Regs., tit. 20, § 1714.5.)

Prehearing Conference Statements

To facilitate the process, each party shall serve and file a **Prehearing Conference Statement**. The statements shall be received by the other parties and the Commission's Docket Unit, 1516 9th Street, MS 4, Sacramento, California 95814-5512, no later than **5 p.m. on July 26, 2006**. Identify the statements with "Docket No. 99-AFC-8C." In addition to providing printed copies, the parties shall e-mail their statements to the Hearing Officer at ebouillo@energy.state.ca.us and to those with e-mail addresses as indicated on the Proof-of-Service list.

Each statement shall specify:

1. The topic areas that are complete and ready to proceed to evidentiary hearings;
2. The topic areas that are not complete and not yet ready to proceed to evidentiary hearings, and the reasons therefor;

3. Whether or not any topic areas remain in dispute and require adjudication, and the precise nature of the dispute within each topic;
4. The identity of each witness sponsored by each party, the topic area(s) which each witness will present; a brief summary of the testimony to be offered by each witness; qualifications of each witness; and the time required to present direct testimony by each witness;
5. Topic areas upon which a party desires to cross-examine witness(es), a summary of the scope of such cross-examination, and the time desired for such cross-examination;
6. A list identifying exhibits and declarations that each party intends to offer into evidence and the technical topics to which they apply (see following *section* on format);
7. Proposals for hearing dates, briefing deadlines, vacation schedules, and other scheduling matters and a proposed schedule for the balance of these proceedings;
8. Whether or not the testimony of specific witnesses may be presented by stipulation and declaration without the need for live testimony. This will require the stipulation of all parties in each instance.
9. A discussion of the need or desirability of evidentiary hearings in any specific or general location, including whether or not the evidentiary hearings may be held in Sacramento.
10. For all topics, the parties shall review the proposed Conditions of Certification for enforceability, comprehension, and consistency with the evidence, and submit any proposed modifications.

Format for Presenting Evidence

The parties shall submit written testimony and documentary evidence in two formats.

1. Each and every document shall be pre-numbered and identified on an exhibit list. Applicant's exhibits shall be numbered consecutively as Exhibits 1 through 99, as necessary. Staff's exhibits shall be numbered consecutively as Exhibits 100 through 199, as necessary. Intervenor's exhibits shall be numbered as Exhibits 200 through 299, as necessary. The Intervenor shall confer among themselves and plan Exhibit numbers so there is no

duplication. Printed copies of the exhibits shall be submitted at the Prehearing Conference and supplemented at the Evidentiary Hearing, as necessary.

2. To facilitate the efficient organization and review of the Project, exhibits for each topic area shall also be compiled in separate file folders designated by topic with the appropriate Exhibit Number attached to each document.

Petitions to Intervene to Become a Formal Party

The Energy Commission's Decision on the Blythe Transmission Line Modification Project will be based on the official evidentiary record developed at the Committee's Evidentiary Hearing, which will be scheduled subsequent to the Prehearing Conference. Only formal parties may present evidence at the Evidentiary Hearing.

Anyone with a legitimate interest in the Blythe Transmission Line Modification Project may file a Petition to Intervene and become a formal party. At the Evidentiary Hearing, a formal party may offer testimony and documentary evidence, receive documents filed by other parties, and cross-examine witnesses. However, a formal party must also comply with Committee orders, procedures, and filing requirements, and is subject to discovery and having its own witnesses cross-examined by other parties.

Petitions to Intervene in this case shall be filed no later than adjournment of the Prehearing Conference on **July 31, 2006**. Typically, time extensions for new Intervenor to review existing case materials are not granted after the Prehearing Conference since to do so could delay the proceeding.

How to Intervene

The Energy Commission's Public Adviser will assist any person or organization interested in preparing a Petition to Intervene. For assistance in this process, contact Margret J. Kim, the Public Adviser, at 916-654-4489 or 800-822-6228 or e-mail at: [pao@energy.state.ca.us].

Public Participation

Members of the general public are welcome to attend and provide public comment at the Prehearing Conference and the Evidentiary Hearing. It is not necessary to be an Intervenor to participate in the public process. Those desiring information on how to participate may contact the Public Adviser as indicated above.

Additional Information

Technical questions concerning the Project should be addressed to Jack Caswell, the Staff Project Manager, at (916) 653-0062 or e-mail at: **[jcaswell@energy.state.ca.us]**.

Questions of a legal or procedural nature should be directed to Ed Bouillon, the Hearing Officer, at (916) 654-3893 or e-mail at: **[ebouillo@energy.state.ca.us]**.

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz at 916-654-5146 or e-mail at: **[lquiroz@energy.state.ca.us]**. Media inquiries should be directed to Claudia Chandler, Assistant Executive Director for Media and Public Communications at (916) 654-4989 or e-mail at: **[mediaoffice@energy.state.ca.us]**.

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Reports concerning the status of this Project, notices, and other relevant documents are posted on the Energy Commission's Internet web page at: **[www.energy.ca.gov/sitingcases/blythetline].**

Dated _____, at Sacramento, California.

JOHN L. GEESMAN
Commissioner and Presiding Member
Blythe Transmission Line Modification AFC Committee

JAMES D. BOYD
Commissioner and Associate Member
Blythe Transmission Line Modification AFC Committee

Mailed to Lists: 7166, 7167, 7168, POS