CONTINUANCE OF COMMITTEE CONFERENCE
BEFORE THE
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the: )
) 79-AFC-4C
Power Plant Amendment )

CALIFORNIA ENERGY COMMISSION
HEARING ROOM B
1516 NINTH STREET
SACRAMENTO, CALIFORNIA

WEDNESDAY, JUNE 5, 2013
3:00 p.m.

Reported by:
Peter Petty
Contract No. 170-09-002
COMMITTEE MEMBERS PRESENT
Janea Scott, Associate Member

HEARING OFFICER, ADVISORS PRESENT
Paul Kramer, Hearing Officer
Jim Bartridge, Advisor to Commissioner Scott
Galen Lemei, Advisor to Commissioner Douglas
Jennifer Nelson, Advisor to Commissioner Douglas
Eileen Allen, Commissioners' Technical Adviser for Facility Siting

CEC STAFF PRESENT
Camille Remy-Obad, Compliance Project Manager

OFFICE OF THE PUBLIC ADVISER
Blake Roberts, Assistant Public Adviser

RESPONDENT/PROJECT OWNER
Kimberly Hellwig (via WebEx)
Stoel Rives LLP

PROJECT LANDOWNER
Robert Francisco (via WebEx)
V.V. & J. Coleman LLC
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HEARING OFFICER KRAMER: Okay, so we'll get started with introductions. Commissioner Douglas is not in the room yet but I think she'd appreciate if we get going with those so when she arrives we can get right to business.

This is the continued Committee Conference for the Bottle Rock amendment.

Can you hear me okay on the phone?

MR. FRANCISCO: Yes I can. Can you hear me?

HEARING OFFICER KRAMER: Yes.

MS. HELLWIG: You're clear.

HEARING OFFICER KRAMER: Okay. I'll get the names of the people on the phone in a minute. Or would it be easier, Peter, if I did that now and you could correlate them? Okay, for the benefit of our court reporter can the folks on the phone identify themselves.

MR. FRANCISCO: My name is Robert Francisco and I represent the V.V. and J. Coleman Family.

HEARING OFFICER KRAMER: Okay.

MS. HELLWIG: This is Kimberly Hellwig with --

HEARING OFFICER KRAMER: I'm sorry?

MS. HELLWIG: Kimberly Hellwig with Stoel Rives.

HEARING OFFICER KRAMER: One more time.

MS. HELLWIG: Kimberly Hellwig with stoel Rives.
HEARING OFFICER KRAMER: Oh, hi, Kim.

MS. HELLWIG: Hi.

HEARING OFFICER KRAMER: That's Kim Hellwig -- berly, formally. I didn't have you down. Is it H-E, one L or two Ls?

MS. HELLWIG: Two.

HEARING OFFICER KRAMER: Two Ls and then W-I-G, Peter. Okay. And you're representing Ms. Castaños and the project owner.

MS. HELLWIG: Correct.

HEARING OFFICER KRAMER: Okay, thank you.

It doesn't appear that we have anyone in the room from any of the parties so I am not going to go down the list.

Is there anyone else on the telephone who wants to identify themselves?

Okay. The purpose of today's meeting is, for the most part, to allow the Committee to conduct a closed session to deliberate on the matters such as the schedule and the type of and amount of the proceedings that we expect to occur in the future in this case; all those were raised at our site visit and Committee Conference last Friday, May 31st.

A reminder to the listeners, please mute yourself, that would be by pressing star-6 on your phone, if you have
a lot of background noise or any background noise in your vicinity so that we don't hear it. And especially it can be annoying to your fellow phone participants and perhaps cause our voices not to be audible because of the noise on the phone line. If you want to talk again you can press star-6 another time to unmute yourself.

That brings us to the -- let me just say that in the room we have Camille Remy-Obad, she is the Compliance Project Manager for this project. Blake Roberts our Public Adviser is here. And for the Committee we have Eileen Allen who is the Commissioners' technical advisor on siting matters. My name is Paul Kramer, I am the hearing advisor for this case and Commissioner Janea Scott is here with her advisor, Jim Bartridge. We are expecting Commissioner Douglas momentarily and she will, of course, participate in the closed session. And her advisors are Galen Lemei and Jennifer Nelson.

We will go off the record for a second.

(Off the record at 3:08 p.m.)

(On the record at 3:08 p.m.)

HEARING OFFICER KRAMER: Let me ask if anybody is intending to make a public comment?

MR. FRANCISCO: I don't plan to. This is Robert Francisco, I don't plan to.

HEARING OFFICER KRAMER: Okay. And Mr. Roberts
indicates he wasn't expecting anybody to make a public comment.

   Ms. Hellwig, of course, I presume you're just listening.

   MS. HELLWIG: I am, actually. I only intended to take notes during public comment so I anticipate that once you go into closed session we'll probably release the phone line.

   HEARING OFFICER KRAMER: Okay. Well, we were going to wait for Commissioner Douglas to hear any public comment but as there is none we might as well adjourn to our closed session then. Let me make the magic incantation to facilitate that. which is:

   The Committee will adjourn to a closed session under Government Code Section 11126(c)(3), which allows a state body, including a delegated committee such as this, to hold a closed session to deliberate on a decision to be reached in a proceeding that the state body was required by law to conduct.

   What we are going to do is excuse the court reporter. We will leave the phone line open because at the conclusion of the closed session at least I will come down and announce that it ended and announce any decisions that were made. But as Commissioner Douglas said on Friday, we are not expecting to have any decisions to announce this
afternoon. What we will have in a week or two is a written order that will explain what the Committee decided regarding the schedule, the type and amount of process and any other matters we think we need to make orders upon.

So we will excuse the court reporter. What I will do is e-mail his office after we adjourn so that they will -- I'll give them the time that we adjourn so they can insert that information into the transcript that they will prepare.

So with that we will mute the microphones here but leave the lines open if somebody wants to stick around, but don't expect anything exciting when we do come back. You will have to wait for the written order that will appear -- if you're on the Proof of Service list you'll get it that way or you may see a Notice via the LISTSERV that it's -- if you're on that, that it's been posted to the Internet.

So we are going into closed session, thank you.

(The Committee adjourned into closed session at 3:11 p.m.)

(The Committee Conference reconvened at 4:11 p.m., reported no action was taken in closed session and immediately adjourned. The next Committee action will be in the form of a written Order.) --oOo--
CERTIFICATE OF REPORTER

I, PETER PETTY, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Committee Conference; that it was thereafter transcribed.

I further certify that I am not of counsel or attorney for any of the parties to said conference, or in any way interested in the outcome of said conference.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of June, 2013.

/s/ Peter Petty
PETER PETTY, CERT**D-493

CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

/s/ Ramona Cota
RAMONA COTA, CERT**478

June 10, 2013