



**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](http://WWW.ENERGY.CA.GOV)**

**APPLICATION FOR CERTIFICATION FOR THE  
*STIRLING ENERGY SYSTEMS – SOLAR ONE*  
*POWER PLANT PROJECT***

**DOCKET No. 08-AFC-13**

**COMMITTEE SCHEDULING ORDER**

On May 6, 2009, the Application for Certification (AFC) was deemed data adequate for the twelve-month review process prescribed in Public Resources Code, section 25540.6. The Committee conducted a public Informational Hearing on June 22, 2009, to discuss the schedule and other issues of concern. The attached Committee Schedule is based upon Staff's proposed schedule and the related discussion at the Informational Hearing.

The Committee Schedule contains a list of events that must occur to complete the certification process. Most Applicants come to the AFC process with permission to use the proposed site (site control) already in hand and the Energy Commission does not normally approve a project for which site control is uncertain. Here, the U.S. Bureau of Land Management (BLM) is concurrently deciding whether to issue a right-of-way grant to provide the Applicant with site control. The BLM and the Energy Commission staff will prepare a joint environmental analysis satisfying both the California Environmental Quality Act (CEQA) standards applicable to an AFC and the National Environmental Policy Act (NEPA), which applies to the BLM's Decision. This is likely to provide final Energy Commission and BLM Decisions sooner than if one agency's process were to follow the other's.

It appears, however, that the joint process may be difficult to complete within the 12 months contemplated by our regulations. The BLM's process requires longer public review periods than those applicable to the Energy Commission's proceedings. The information required for each process differs in some respects, which necessitates additional time for discovery. The scope of the proposed project site—at approximately 8,200 acres it is at one hundred times the size of a typical combined cycle power plant site—may also lengthen the review period.

The attached Committee Schedule provides dates for the period leading up to the publication of the Final Staff Assessment/Final Environmental Impact Statement (FSA/FEIS) and formulas for the time intervals between subsequent events. We encourage the parties to consider this schedule an outer boundary and make their best efforts to complete the milestones ahead of these dates. Depending on the degree of controversy and number of contested issues, the intervals following the FSA/FEIS publication may be compressed or lengthened.

We may modify the schedule at any time upon either our own motion or that of a party. [Cal. Code Regs., tit. 20, § 1709.7(c).] The schedule includes periodic status reports to determine whether case development is progressing satisfactorily, and to bring potential schedule delays or other relevant matters to our attention.

Pursuant to California Code of Regulations, title 20, sections 1209 and 1209.5, the parties are directed, when they choose to file and serve documents by email, to create the electronic copies in a format which allows electronic searching of the text, such as a commonly used word processing file format or a .pdf (Portable Document Format) file. If using the .pdf format, the document shall be printed or otherwise saved to a .pdf file from the word processing program rather than created by optically scanning a printed copy. For Microsoft Word formatted word processing files, the older .doc file format is preferred over the newer .docx format because older programs cannot read .docx files.

This directive does not apply to documents or attachments that are not generated under the control of the party or its agents or where it is otherwise infeasible to comply.

Signatures may be indicated on the electronic copy by "Original Signed By" or similar words. The original signed physical copy shall be filed with the Energy Commission's Dockets Unit.

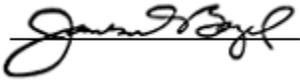
Providing documents in this form will also allow persons with visual disabilities to more easily read them and make them easier to read on portable devices such as smart phones.

Our regulations, California Code of Regulations, title 20, section 1210 require, in addition to any electronic service, that a paper copy be served in person or by first class mail except where a party requests to receive an electronic copy when one is available. Individuals and groups on the Proof of Service list who prefer to receive filings by e-mail and do not require a paper copy in addition to an electronic copy shall inform the Hearing Officer. The Proof of Service list for this matter will delineate those individuals

and groups and it is sufficient to serve those individuals with an e-mailed copy only<sup>1</sup>. Those not so delineated must be served with a paper copy in addition to any emailed copy that the filing party chooses to provide.

Questions about the above formatting and filing directives may be addressed to Paul Kramer, the Hearing Officer in this matter.

Dated: July 29, 2009, at Sacramento, California.



JAMES D. BOYD  
Vice Chair and Presiding Member  
SES Solar One AFC Committee



JEFFREY D. BYRON  
Commissioner and Associate Member  
SES Solar One AFC Committee

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<sup>1</sup> The California Independent System Operator (CAISO) has informed us that it does not wish to receive paper copies and will be so marked on the Proof of Service list.

**COMMITTEE SCHEDULE**  
FOR THE  
**STIRLING ENERGY SYSTEMS -- SOLAR ONE POWER PLANT PROJECT**  
(08-AFC-13)

<i>DATE</i>	<i>EVENT - Related BLM Actions are Shown for Convenience</i>
May 6, 2009	AFC Data Adequate
June 8, 2009	<b>BLM publishes Notice of Intention in Federal Register, beginning 45-day scoping period</b>
June 22, 2009	Site Visit and Informational Hearing/ <b>BLM scoping meeting</b>
September, 2009	Data Response and Issue Resolution Workshop/ <b>2<sup>nd</sup> BLM Scoping Meeting</b>
August 26, 2009 and every eight (8) weeks thereafter until the FSA/FEIS is filed	Parties file Status Reports
September 25, 2009	Applicant Files Data Responses required by Staff to complete its preliminary analysis
October 15, 2009	Local, State, and Federal Agency Draft Determinations, including Air District's Preliminary Determination of Compliance (PDOC) filed
November 19, 2009	Staff publishes Preliminary Staff Assessment/Draft Environmental Impact Statement (PSA/DEIS) / <b>BLM Notice of Availability (NOA) of DEIS published</b>
November 19, 2009	<b>Formal consultation on Biological Assessment initiated, beginning 135-day consultation period</b>
Mid-January, 2010	Staff conducts PSA workshops/DEIS public meetings
February 17, 2010	Local, State, and Federal Agency Final Comments and Determinations, including Air District's Final DOC filed
90 days after NOA published	<b>BLM DEIS public comment period ends</b>
Tbd	<b>US Fish and Wildlife Service issues Biological Opinion</b>
Tbd	Staff publishes Final Staff Assessment/Final Environmental Impact Statement (FSA/FEIS) / <b>BLM (NOA) of FEIS published</b>
FSA/FEIS + 2 weeks	Applicant's opening testimony and preliminary identification of contested issues filed and served
FSA/FEIS + 4 weeks	Staff and other parties file and serve opening testimony (other than FSA/FEIS) and Prehearing Conference Statements; Applicant files Prehearing Conference Statement
FSA/FEIS + 5 weeks	All parties file rebuttal testimony and identify which materials referred to in other parties' opening testimony of which they want copies
FSA/FEIS + 5 weeks	Prehearing Conference
FSA/FEIS + 6 weeks	All requested material is served on all other parties

**COMMITTEE SCHEDULE (CONTINUED)**

<i>DATE</i>	<i>EVENT - Related BLM Actions are Shown for Convenience</i>
FSA/FEIS + 7 weeks	Evidentiary Hearings
3 weeks after Evidentiary Hearings close	Post Hearing Briefs filed
6 - 7 weeks after Evidentiary Hearings close	Presiding Member's Proposed Decision (PMPD) issued for 30-day comment period
Approx. 25 days after PMPD issued	PMPD comment hearing
35 days after PMPD issued	Revised PMPD issued* for 15-day (30 days if significant environmental information added) review period*
Tbd	Energy Commission Final Decision Adoption Hearing
30 days after Commission adoption hearing	Judicial review period for Energy Commission Decision ends
30 days after NOA of FEIS published	<b>FEIS protest period ends</b>
60 days after NOA of FEIS published	Governor's consistency review period ends (this schedule assumes the Governor finishes his review in 30 days)
Tbd	<b>BLM issues Record of Decision, Right of Way grant and Plan Amendment</b>

Tbd: to be determined  
 \* if necessary

Issued: July 29, 2009