

COMMITTEE CONFERENCE
BEFORE THE
CALIFORNIA ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of the:)
)
Application for Certification for) Docket No.
the Carlsbad Energy Center Project) 07-AFC-6

)

CALIFORNIA ENERGY COMMISSION
THIRD FLOOR CONFERENCE ROOM
1516 NINTH STREET
SACRAMENTO, CALIFORNIA

WEDNESDAY, DECEMBER 14, 2011

2:00 p.m.

Reported by:
Peter Petty
Contract No. 170-09-002

COMMITTEE MEMBERS PRESENT

James D. Boyd, Vice Chair and Presiding Member

Karen Douglas, Associate Member

HEARING OFFICER, ADVISORS PRESENT

Paul Kramer, Hearing Officer

Tim Olson, Advisor to Commissioner Boyd

OFFICE OF THE PUBLIC ADVISER

Jennifer Jennings, Public Adviser (via WebEx)

APPLICANT

Melissa Foster (via WebEx)
Stoel Rives LLP

Scott Valentino (via WebEx)

INTERVENORS

William Rostov (via WebEx)
Center for Biological Diversity

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1 And there is a name there, Patty Gutierrez, but I
2 don't think she's on audio with us. Can you hear us or can
3 you respond to us, Patty? If not, that's fine.

4 (No response.)

5 HEARING OFFICER KRAMER: Okay. And then we have
6 several call-in callers who are just generically identified.
7 Do we have anyone from staff, Commission staff?

8 (No response.)

9 HEARING OFFICER KRAMER: City of Carlsbad?

10 (No response.)

11 HEARING OFFICER KRAMER: CURE?

12 (No response.)

13 HEARING OFFICER KRAMER: The Center for Biological
14 Diversity?

15 MR. ROSTOV: Yes, Will Rostov is here.

16 HEARING OFFICER KRAMER: Thanks Will, thank you.
17 Terramar?

18 (No response.)

19 HEARING OFFICER KRAMER: Power of Vision?

20 (No response.)

21 HEARING OFFICER KRAMER: Rob Simpson?

22 (No response.)

23 HEARING OFFICER KRAMER: Anyone from the
24 California ISO?

25 (No response.)

1 HEARING OFFICER KRAMER: Okay. Well I'm sure
2 there are some people who aren't yet identified. Does
3 anybody else wish to identify themselves for the record?

4 (No response.)

5 HEARING OFFICER KRAMER: Okay. Hearing none.
6 Before we go into closed session there is an opportunity on
7 the agenda for public comment and members of the public can
8 speak for up to three minutes. Does anybody wish to make a
9 public comment?

10 (No response.)

11 HEARING OFFICER KRAMER: Okay, one more time, any
12 public comments?

13 (No response.)

14 HEARING OFFICER KRAMER: Okay. Peter, can you
15 scroll down the list over there. Okay, nobody new.

16 Okay. Well, we note that there were no persons
17 interested in making public comment.

18 So at this point the Committee is going to adjourn
19 into a closed session to consider the Application for
20 Certification for the Carlsbad Energy Center Project,
21 including deliberation on the Committee's Proposed Decision
22 and any other matters that are ripe for decision by the
23 Committee. Though I don't believe there are any but they
24 would include pending motions and scheduling.

25 Now we'll be doing that in accordance with

1 Government Code Section 1126(c)(3), which allows a state
2 body, including a delegated committee, to hold a closed
3 session to deliberate on a decision to be reached in a
4 proceeding where the state body was required by law -- which
5 the state body was required by law to conduct.

6 We will come out of the closed session. We don't
7 expect to have anything to report, though. Obviously we are
8 not going to have a 400 page proposed decision ready and in
9 fact we are still waiting for briefs.

10 So we will go through the formality of coming back
11 out of closed session to report the end of the closed
12 session but that's all we expect to happen and therefore we
13 are going to release the court reporter. And what I will do
14 is report to them the time that we adjourned and any -- if
15 there were an action, any such action, and they will include
16 that in the transcript of this Committee Conference.

17 So does anybody wish to raise any other issues
18 with the Committee before we go into closed session?

19 (No response.)

20 HEARING OFFICER KRAMER: Okay, hearing none. We
21 will keep the WebEx open so you can hear when we come back
22 and report. But like I said, it's not going to be exciting
23 so you can choose to stay on the line or not, accordingly.

24 So with that we are adjourned into a closed
25 session.

1 (The Committee adjourned into a
2 closed session at 2:35 p.m.)

3 (The Committee reconvened from their
4 closed session at 4:18 p.m. with
5 nothing to report.)

6 (The Committee Conference was
7 immediately adjourned.)

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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, nor in any way interested in the outcome of said conference.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of December, 2011.

PETER PETTY, CER**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.

RAMONA COTA, CERT**478

December 16, 2011