

# Memorandum

Date : May 26, 1998

To : Jananne Sharpless, Presiding Member  
Robert A. Laurie, Associate Member

Telephone: (916) 653-1614  
Internet Addr: RBuell@energy.state.ca.us

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From : California Energy Commission - Richard K. Buell  
1516 Ninth Street Siting Project Manager  
Sacramento 95814-5512

Subject : **High Desert Power Project (97-AFC-1) Proposed Schedule**

The Committee, at the May 20, 1998 Committee Conference, directed parties to provide their proposed schedules for the High Desert Power Project. Staff met with the applicant and California Unions for Reliable Energy (CURE) on May 21, 1998 and discussed the events described in Hearing Officer Stanley Valkosky's draft schedule and proposed dates for those events. The schedule described below includes the events identified by Hearing Officer Valkosky and includes other events the parties believed to be relevant to processing of the High Desert Power Project Application For Certification (97-AFC-1). The parties reached agreement on the events and dates presented below, with some exceptions footnoted below.

## Proposed Schedule

#	EVENT	CRITICAL PATH LINK	DATE
1	Mojave Desert AQMD files PDOC	~~	Mon 18-May-98
2	<b>Applicant provides technical memorandum re: sensitivity of SWP water supply and simple cycle water balance.</b>	Performance Date A <sup>1</sup>	<b>Fri 22-May-98</b>
3	Applicant provides Edison's interconnection study	~~	Fri 22-May-98
4	Parties file proposed schedule	~~	Tue 26-May-98
5	PSA Workshop in Victorville	~~	Wed 27-May-98
6	PSA Workshop in Victorville	~~	Thu 28-May-98
7	<b>Applicant Identifies revised route for second natural gas pipeline &amp; list of landowners</b>	Performance Date B <sup>1</sup>	<b>Fri 29-May-98</b>
8	<b>Applicant Files Waste Information With DTSC</b>	Performance Date B <sup>1</sup>	<b>Fri 29-May-98</b>
9	Mojave Desert AQMD completes data adequacy review of banking applications	~~	May 29, 1998
10	Cal-ISO completes review of Edison's Interconnection Study	Interconnection Study +17	Mon 08-Jun-98 <sup>2</sup>

<sup>1</sup> Day-for-day slip for missing these dates does not start unless the information is not provided by June 15, 1998.

<sup>2</sup> On May 22, 1998, Mr. Steve Mavis, representing the Cal-ISO, requested extension to June 8, 1998.

### Proposed Schedule

#	EVENT	CRITICAL PATH LINK	DATE
11	Notice provided to landowners affected by second pipeline	List of Landowners +10	Mon 08-Jun-98
12	Applicant responses to CURE Data Requests. 139-151	~~	Mon 08-Jun-98
13	Tentative date for air quality workshop on PDOC, in Victorville	PDOC +22	Tue 09-Jun-98
<b>14</b>	<b>Applicant files engineering &amp; environmental information for second natural gas pipeline</b>	Performance Date C	<b>Mon 15-Jun-98</b>
15	Applicant files letter from DTSC regarding its findings on whether a permit is required for the crystallizer <sup>3</sup>	Performance Date C <sup>4</sup>	Mon 15-Jun-98
<b>16</b>	<b>Applicant provides letters of intent for ERCs and specifies roads intended for PM10 mitigation</b>	<b>Performance Date C</b>	<b>Mon 15-Jun-98</b>
<b>17</b>	<b>Applicant files Siemens and Westinghouse 501G startup data</b>	<b>Performance Date C<sup>5</sup></b>	<b>Mon 15-Jun-98</b>
18	Comment period on PDOC ends	PDOC +32	Fri 19-Jun-98
19	Workshop or Informational Hearing on second pipeline	Pipeline Notice +14	Mon 22-Jun-98
20	Tentative date for transmission workshop in Sacramento	Cal-ISO Review +14	Tue 23-Jun-98
21	Applicant files information for 10(a)(1)(B) permit with USFWS and/or a "Section 7" consultation by BLM with USFWS <sup>6</sup>	Performance Date D <sup>4</sup>	Wed 01-Jul-98
22	Applicant files written documentation from the entities supplying water for the project that the applicant's water plan is acceptable and identifies preliminary conditions for approval <sup>7</sup>	Performance Date D <sup>4</sup>	Wed 01-Jul-98

<sup>3</sup> Applicant disagrees that it should be responsible for whether or when DTSC files a response. Staff will contact DTSC to encourage timely response to the applicant's request.

<sup>4</sup> Applicant disagrees that these events should be considered performance dates.

<sup>5</sup> If this data is not provided by the date indicated, staff's complete PSA will not address impacts associated with these turbines. Should the applicant choose to purchase one of these turbines, an amendment will be required post certification, and the turbine data will be required at that time. Applicant does not believe that it is asking staff to specifically analyze the Siemens and Westinghouse 501G turbines, but permit an envelope. Therefore, the applicant does not believe failing to provide the turbine startup data should eliminate these turbines from the Energy Commission's decision.

<sup>6</sup> Applicant does not believe that the information necessary for the U.S. Fish and Wildlife Service (USFWS) to issue a 10(a)(1)(B) permit or Bureau of Land Management (BLM) to issue a "Section 7" consultation are critical path events. Therefore, the applicant does not believe delay in submission should result in delay of the project schedule.

<sup>7</sup> Applicant is concerned whether it can obtain written documentation from the water agencies identifying their approval of the applicant's water plan (also see Event # 36). The applicant believes that in order to obtain this

### Proposed Schedule

#	EVENT	CRITICAL PATH LINK	DATE
23	Staff notifies applicant and Committee whether Performance Date C information is complete, and if incomplete, what information is missing	Performance Date C +21	Mon 06-Jul-98
24	Mojave Desert AQMD files Final Determination of Compliance	PDOC +60	Fri 17-Jul-98
25	Mojave Desert AQMD issues prop. Banking Certificates <sup>8</sup>	FDOC +0	Fri 17-Jul-98
26	Staff notifies applicant and Committee whether Performance Date D information is complete, and if incomplete, what information is missing	Performance Date D +21	Wed 22-Jul-98
27	File Complete PSA <sup>10</sup>	Performance Date C +46 or Perform. Date D +30	Fri 31-Jul-98
28	Applicant files documentation of the likely permit conditions BLM/USFWS will impose on the project <sup>9</sup>	FSA -35	Mon 10-Aug-98
29	Start Workshops on Complete PSA	Complete PSA +7	Fri 07-Aug-98
30	Comment period on preliminary ERC banking certificates ends	Proposed Certificates +31	Mon 17-Aug-98
31	File Prehearing Conference statements	PHC -11	Fri 21-Aug-98
32	Finish Workshops on Complete PSA	Complete PSA +21	Fri 21-Aug-98
33	Prehearing Conference In Victorville	Complete PSA +32	Tue 01-Sep-98
34	Hearing Order and Notice of Evidentiary Hearings	PHC +10	Fri 11-Sep-98
35	File FSA and Parties File Testimony <sup>10</sup>	PHC Order +13	Mon 14-Sep-98
36	Applicant submits option contracts or contract securing ERCs, & agreements to supply water from serving entities <sup>11</sup>	Parties Testimony +0	Mon 14-Sep-98

documentation, it would need to enter into a contractual arrangement with these agencies, which the applicant is not willing to do at this time.

<sup>8</sup> Applicant believes that the District will only issue proposed certificates for which it currently has applications, and thus, certificates for PM10 road paving would not be included. Staff believes that the District could provide an indication of whether proposed PM10 road paving applications would be acceptable.

<sup>9</sup> CURE believes Event #28 should be a performance event since this information relates to conformance with the Endangered Species Act.

<sup>10</sup> This schedule provides sufficient time for staff to incorporate the FDOC in the FSA, but does not allow staff to incorporate the FDOC in the "Complete" PSA.

<sup>11</sup> The applicant has indicated that it could provide option contracts or contracts securing Emission Reduction Credits (ERCs) and a water supply for the project by October 15, 1998 (which occurs during the evidentiary hearings). Staff and CURE believe that these are needed prior to the evidentiary hearings to allow parties to understand the agreements.

### Proposed Schedule

#	EVENT	CRITICAL PATH LINK	DATE
37	Parties file Rebuttal Testimony	Parties Testimony +11	Fri 25-Sep-98
38	Start Hearings	Rebuttal Testimony +14	Fri 09-Oct-98
39	Conclude Hearings	Start Hearings +14	Fri 23-Oct-98
40	Committee Issues Draft Presiding Members Proposed Decision (PMPD)	End Hearings +61	Wed 23-Dec-98
41	Committee Conference on PMPD	End Comment . -7	Fri 15-Jan-99
42	End of PMPD comment period for agencies and others	PMPD +30	Fri 22-Jan-99
43	Committee Issues Revised PMPD	Business Meeting -15	Tue 02-Feb-99
44	Committee Conference on revised PMPD	Decision -7	Wed 10-Feb-99
45	Business Meeting to Adopt Revised PMPD	Business Meeting +0	Wed 17-Feb-99

Staff does not believe that the resolution of all the issues identified in the footnotes above is necessary at this time. The Committee could adopt the overall schedule of events and dates, which the parties are in "general" agreement. Should failure to meet performance dates which are in dispute occur, the Committee could address the dispute at that time. Therefore, staff recommends the Committee adopt the proposed schedule identified above.

RKB:rkb

cc: Proof of Service  
 Chuck Fryxell, APCO Mojave Desert  
 Matt Haber, U.S. EPA  
 Charlie Kraus, VVWD  
 Mark Zeiring, CPUC  
 Rebecca Jones, CDFG

Ray Menebroker, ARB  
 Robert G. Zeller, Mojave Desert AQMD  
 Dan Gallagher, VVWRD  
 Norman Caouette, MWA  
 Manuel Alvarez, Edison