



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

APPLICATION FOR CERTIFICATION FOR THE
IVANPAH SOLAR ELECTRIC
GENERATING SYSTEM

DOCKET No. 07-AFC-5

REVISED COMMITTEE SCHEDULING ORDER

On October 31, 2007, the Application for Certification (AFC) filed by Solar Partners, LLC (Applicant), 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 January 25, 2008, to discuss the schedule and other issues of concern. On January 31, 2008, we issued a Committee Schedule which called for the filing of the Final Staff Assessment/Environmental Impact Statement by September 10.

For a variety of reasons, the case has not progressed as anticipated in the Committee Schedule. 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 Commission staff are preparing a joint environmental analysis satisfying both the California Environmental Quality Act standards applicable to an AFC and the National Environmental Policy Act, which applies to the BLM's decision. The BLM's process requires longer public review periods than those applicable to the Commission's proceedings. The information required for each process differs in some respects, which necessitates additional time for discovery. As of September 12, various data requests remained unanswered and no preliminary analysis had been published.

A revised schedule, based on the Commission staff's Status Report No. 4 filed September 12, is attached. The Revised Committee Schedule provides dates for the period leading up to the Prehearing Conference, during which the balance of the schedule will be set. **As before, we encourage the parties to consider this schedule an outer boundary and make their best efforts to complete the milestones ahead of these dates.** We are encouraged by the Staff's agreement to carry out the Applicant's suggestion that individual section drafts be shared with BLM as soon as they are complete rather than only when all sections are complete.

Parties are ordered to inform the Committee, either in their periodic status reports or by an intermediate report, of any steps that can be taken to advance the schedule. For example, if it is possible to advance the publication of the Preliminary Staff Assessment

while the BLM conducts its internal review of its Notice of Availability, we encourage the Staff to do so.

The Committee 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 continues the previously required periodic status reports to monitor progress and bring further schedule delays or other relevant matters to our attention.

Dated September 26, 2008, at Sacramento, California.

Original Signed By:
JEFFREY D. BYRON
Commissioner and Presiding Member
Ivanpah AFC Committee

Original Signed By:
JAMES D. BOYD
Vice Chair and Associate Member
Ivanpah AFC Committee

**REVISED COMMITTEE SCHEDULE
FOR THE
IVANPAH SOLAR ELECTRIC GENERATING SYSTEM
(07-AFC-5)**

DATE	EVENT
October 31, 2007	AFC data adequate
January 4, 2008	Staff conducts data response/issue resolution workshop
January 11, 2008	Applicant Files Data Responses Part 1
January 25, 2008	Site Visit and Informational Hearing
February 11, 2008	Applicant Files Data Responses Part 2
February 28, 2008	Local, State and Federal Agency draft determinations, including air district's Preliminary Determination of Compliance (PDOC) filed
March 11, 2008	Applicant Files Data Responses Part 3
March 21, 2008, and every eight (8) weeks thereafter	Parties file status reports
Late March, 2008	Staff conducts data response/issue resolution workshop
Spring – Summer, 2008	Additional data responses filed
September 22, 2008	Applicant Files Data Responses required by Staff to complete its preliminary analysis
September 30, 2008	BLM submits Biological Assessment to U.S. Fish and Wildlife Service
November 14, 2008	Preliminary Staff Assessment/Draft Environmental Impact Statement (PSA/DEIS) completed; BLM formal noticing process begins (internally)
December 30, 2008	Local, State and Federal Agency final comments and determinations, including air district's Final DOC filed
January 20, 2009	Staff files PSA/DEIS; BLM's Notice of Availability published in Federal Register (90-day comment period begins)
February - April, 2009	Staff conducts PSA/DEIS workshop
May, 2009	Staff files Final Staff Assessment/Environmental Impact Statement (FSA/EIS)
Late May/Early June, 2009	Prehearing Conference
Tbd	Evidentiary Hearings
Tbd	Presiding Member's Proposed Decision (PMPD) issued for 30-day comment period
Tbd (near the end of PMPD comment period)	PMPD comment hearing
Tbd	Revised PMPD issued* for 15-day review period
Tbd	Energy Commission Decision adoption hearing

Tbd = to be determined

* = if necessary