AVAILABILITY OF PRESIDING MEMBER'S PROPOSED
DECISION and COMMITTEE CONFERENCE

BEFORE THE

CALIFORNIA ENERGY RESOURCES CONSERVATION

AND DEVELOPMENT COMMISSION

In the Matter of:	)	
	)	
Application for	)	
Certification for the	)	Docket No. 98-AFC-2
LA PALOMA GENERATING	)	
PROJECT	)	
_____	)	

CALIFORNIA ENERGY COMMISSION

FIRST FLOOR HEARING ROOM B

1516 NINTH STREET

SACRAMENTO, CALIFORNIA

TUESDAY, AUGUST 24, 1999

10:00 A.M.

Reported by:
Debi Baker
Contract No. 170-99-001

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Robert A. Laurie, Presiding Member

David Rohy, Vice Chairman, Associate Member

STAFF PRESENT

Stanley Valkosky, Hearing Officer

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Dennis Fox, Resident

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P R O C E E D I N G S

10:00 a.m.

PRESIDING MEMBER LAURIE: Ladies and gentlemen, this is a meeting of the LaPaloma Generating Project Siting Committee. My name is Robert Laurie; I'm Presiding Member of that Committee. And to my left is Stan Valkosky, the Hearing Officer assigned to this case. And to Mr. Valkosky's left is Dr. David Rohy, the Vice Chairman of the Commission and my Associate on the Siting Committee. And to Dr. Rohy's left is Mr. Bob Eller, Dr. Rohy's Senior Adviser.

At this time I would like additional introductions for purposes of the record. Starting with the Applicant, Mr. Thompson, if you could introduce yourself and the other members of the Applicant's team, please.

MR. THOMPSON: Thank you very much, Mr. Commissioner. My name is Allan Thompson, I'm project counsel for PG&E Generating Company, the proponent for the LaPaloma Generating Company LLC application.

To my immediate right is Roger Garratt, who is the company's Project Manager. I hope I'm going to get these titles right. To his right is

Mr. Jim Filippi, who is our transmission expert. The empty chair to Mr. Filippi's right represents Mr. Chilson who is currently out of the room, who is Lead Environmental, and finally, Mr. Al Williams, who is the Project Engineer at the end of the table.

That completes our introductions.

PRESIDING MEMBER LAURIE: Thank you, Mr. Thompson.

And staff?

MR. OGATA: Good morning, Commissioners. My name is Jeff Ogata, I'm the Staff Counsel To my left is Marc Pryor, who is the Project Manager.

PRESIDING MEMBER LAURIE: At this time I'd like to turn the matter over to -- well, first let me ask if Dr. Rohy has any opening comments.

VICE CHAIRMAN ROHY: I have no opening comments, thank you.

PRESIDING MEMBER LAURIE: Mr. Valkosky, could you indicate how we intend to proceed today, please?

HEARING OFFICER VALKOSKY: Thank you, Commissioner Laurie. I'd like to indicate first a little bit of background.

The Committee issued the Presiding

Member's Proposed Decision for the LaPaloma Project on July 20, 1999. Under our regulations the public comment period closed August 20, 1999.

We received comments from Applicant, staff, in two versions, the initial comments and then a set of supplemental comments, and Duke Energy.

The purpose of today's conference is to determine the acceptability to the parties of the changes proposed in the various comments to the PMPD. And to discuss the effect of the recently revised preliminary determination of compliance upon the PMPD and its eventual consideration by the full Commission.

What we'll do today is we'll have the parties, first Applicant, then staff, and then any other members of the public, to make any comments, bring the main points that they wish to bring to the Committee's attention.

In making the presentations I would appreciate the parties just focus on the main points that they wish to make. I believe you can assume that the Committee will incorporate various minor editorial and typographical matters raised in the comments.

With that, are there any questions?

MR. THOMPSON: No, sir.

HEARING OFFICER VALKOSKY: Okay. Mr. Thompson.

MR. THOMPSON: Thank you very much.

Number one, we have reviewed the comments to the PMPD filed by Duke. To the extent that we understand them, we don't believe we have any difficulty with those comments.

Second, we have also reviewed the comments of staff and the supplemental comments of staff, and have no difficulty with any of those, and would accept those.

With regard to our comments, I would agree with the characterization that most of the comments are ministerial in nature. The two that are not ministerial, the one is the size of the project, the capacity that can be put into the grid. We've always characterized this as a 10/50 project, and we're just asking that that be reflected.

The second is the issue of the revised PDOC of the District. Do you want me to address that now? Or do you want to treat that as a separate --

HEARING OFFICER VALKOSKY: Let's treat that as a separate. First -- we'll dispense with the initial comments first.

MR. THOMPSON: I'm trying to think if there's anything else to say. I actually think, Mr. Hearing Officer, that we are fine with all of the comments that have been submitted. And I guess as a request to put on the table, we would urge the Committee to consider not having a revised PMPD given what we consider to be the fairly easy nature of the comments that have been submitted.

HEARING OFFICER VALKOSKY: Okay, and your agreement with the comments extends to the changes in the conditions in the verifications proposed by staff?

MR. THOMPSON: It does.

HEARING OFFICER VALKOSKY: Okay, thank you. With the exception of the air quality matters, does that conclude --

MR. THOMPSON: It does.

HEARING OFFICER VALKOSKY: Mr. Ogata or Mr. Pryor?

MR. OGATA: Thank you, Mr. Valkosky. Staff did submit two sets of comments. We

reviewed comments of Duke Energy, and we also reviewed LaPaloma's comments.

Staff have no problems with comments of LaPaloma.

With respect to Duke's comments, we'd just like to clarify for the record that we agree that while the statements using the words unknown and likely require appear to be contradictory, that we believe they actually are not.

The impacts of five known projects, LaPaloma, Sunrise, Elk Hills, Morro Bay and Midway/Sunset are unknown, and staff has not seen an interconnection study that analyzes all these projects at once.

The effects of just LaPaloma and Sunrise, or LaPaloma and Elk Hills have been studies in the Sunrise and Elk Hills cases. And these studies show that when a second project connects to the Midway Substation, breakers must be replaced and new transmission base must be built.

Thus, while there is uncertainty, the effects of some plants on the Midway Substation are known.

Now, having said that, however, we would

be amenable to a change in your language at the point of on page 78 in the second sentence of the second paragraph: Additional interconnection at the Midway Substation will likely require" we would be amenable to changing that to read: Additional interconnection at the Midway Substation may require modification." With that we would be fine.

HEARING OFFICER VALKOSKY: Okay, so just dropping the three-word phrase and substituting "may" for it is what it comes down to?

MR. OGATA: Yes, Mr. Valkosky.

HEARING OFFICER VALKOSKY: Okay. Thank you, Mr. Ogata. Does staff have a position on whether it is necessary to issue a revised PMPD as opposed to a set of errata before the Commission may consider this?

MR. OGATA: I don't think we really have a position on that, Mr. Valkosky. I don't see that these changes are really that major, so I don't think we would urge that a new PMPD go out.

HEARING OFFICER VALKOSKY: Okay, so that in staff's view a revised PMPD would not be required for our regulations?

MR. OGATA: No, we don't believe so.

HEARING OFFICER VALKOSKY: Okay. Thank you. Any other comments before we move on to the impact of the revised PMPD?

MR. OGATA: No, we have no further comments.

HEARING OFFICER VALKOSKY: Sir, I note that you have some comments. What I would propose to do is to let you hear -- we're going to deal with air quality right now, and let you hear what the parties have to say. And then you could come up and make your comments. Would that be satisfactory?

PRESIDING MEMBER LAURIE: Stan, we're not --

HEARING OFFICER VALKOSKY: Right, can we go off the record for a second.

(Off the record.)

HEARING OFFICER VALKOSKY: All right, Mr. Thompson, turning to the matter of the revised preliminary determination of compliance, could you give us some background and some suggestions?

MR. THOMPSON: As best I can, Mr. Valkosky. On August 17 of this year we filed with the Commission and served on all parties the document dated August 12 of the Air District,

which contains a notice of the revised preliminary determination of compliance for this project.

The reasons for the issuance of the revised DOC are contained in the cover letter to Mr. Garratt, which was filed along with the revised PDOC.

We believe that the change to the DOC is a relatively minor one, and we have had concurrence with the staff of the District that that is their view, as well.

What we would propose is that when a final DOC is issued, and we would expect that to occur immediately upon the expiration of the 30-day comment period, as none of us expect comments to be filed, we will submit to this Commission and file on all parties the final DOC, along with a letter hopefully from the District that discusses any changes that have occurred between the preliminary DOC and the final DOC.

What we would further propose to staff is that we jointly file a motion to this Committee to reopen the proceeding for the purposes of taking the FDOC, the final determination of compliance, as an exhibit. That being the only reason to reopen the proceeding, and the only

purpose, and the only document that we would ask to be submitted.

We would further anticipate that the District would file a cover letter which would act as an attestation that the final DOC is true and correct to the best of their ability, which would serve to act as a sponsor for the FDOC for the purposes of the hearings.

We would hope that we could file this within four to five days after the close of the 30-day comment period. The comment period, I believe, runs on August 11 -- or September 11, which I believe is a Saturday. We are anticipating that we could file that as early as next Tuesday, the 14th of September.

HEARING OFFICER VALKOSKY: Okay. Mr. Ogata?

MR. OGATA: Staff's in agreement with the process that Mr. Thompson has just laid out.

HEARING OFFICER VALKOSKY: Okay, so let me see if I understand it. The FDOC would be prepared, and Applicant, you would have the burden of providing a proof list, basically filing the final determination of compliance accompanied by a declaration from the Air District.

Staff would also file a declaration indicating their position on it. And all this would be done by September 14th?

MR. THOMPSON: Yes. I was actually anticipating that staff -- we would not burden staff with a declaration on the differences between the preliminary DOC and the final DOC, but what I would ask that the staff join in would be a -- we would both sign as motion to reopen the proceeding.

HEARING OFFICER VALKOSKY: And these filings would specify which proposed conditions of certification need changed? And what needs changed in those conditions?

MR. THOMPSON: They would.

PRESIDING MEMBER LAURIE: Okay. Is that your understanding, Mr. Ogata?

MR. OGATA: Yes, Mr. Valkosky. I think that the essence of it, that we would file jointly in terms of whatever changes needed to be made. And we would request that the Committee reopen the hearing just for the purpose of taking the FDOC and the associated changes into account.

HEARING OFFICER VALKOSKY: So we would reopen the record, we would not reconvene another

hearing, right?

MR. OGATA: Oh, yeah, that's correct. I'm sorry.

HEARING OFFICER VALKOSKY: Okay.

(Pause.)

HEARING OFFICER VALKOSKY: All right, Mr. Thompson and Mr. Ogata, that proposal is acceptable to the Committee. I'd just like to clarify that this would be in by the 14th of September?

MR. THOMPSON: That is our target date. We need to wait until the 30-day comment period ends, and then we are hoping that the District will have a new cover and be ready to file that FDOC. And then the logistics of getting it up here.

But, we discussed it at some length among our team this morning, and we think that the 14th is a good day.

HEARING OFFICER VALKOSKY: Okay. And will this also -- will the change also affect your federal PSD permit?

MR. THOMPSON: The same changes being handled through the federal PSD permit, exactly the same --

HEARING OFFICER VALKOSKY: Okay, so are they also --

MR. THOMPSON: Same track.

HEARING OFFICER VALKOSKY: -- same track. Okay, well, that will be the direction of the Committee. We'll await the filing, the declaration. The Committee would intend, at this time, to reopen the record to receive the DOC, the accompanying declarations, as the next exhibits in numbered order. And would make appropriate changes to the existing Presiding Member's Proposed Decision before forwarding it for consideration to the full Commission.

PRESIDING MEMBER LAURIE: Mr. Valkosky, I should note that it would be the Committee's intent to seek to have this matter agendized for the September 22nd business meeting.

Now, should the additional material not arrive in a timely manner, it may very well be that either Dr. Rohy or myself, or the other Commissioners who may not be as familiar with the issue, may find that they need additional time.

Thus, the earlier the FDOC can be submitted and made a part of the record, the greater the likelihood that the matter can

successfully be heard on the 22nd.

MR. THOMPSON: We understand, Mr. Commissioner. And, I will further make a commitment to you that if the District receives comments that are substantive and will cause the District to substantially change any of the conditions or terms of the FDOC, we will let the Siting Committee know as soon as possible, because we would then assume that the 22nd would not work, because we would have something substantive to work through.

PRESIDING MEMBER LAURIE: Thank you, Mr. Thompson.

HEARING OFFICER VALKOSKY: Yeah, I would just like to clarify, too, that if we are dealing with things that are fairly characterized as significant or substantive changes that could trigger the need for the reissuance of the Presiding Member's Proposed Decision in the form of a revised version, I mean what we're talking about today is based on what's been presented to us, which appear to be relatively minor changes.

MR. THOMPSON: Understand.

HEARING OFFICER VALKOSKY: Okay. All right, with that I'll take the direction of the

Committee then as to set this on the agenda for September 22nd. All right.

PRESIDING MEMBER LAURIE: Yes.

HEARING OFFICER VALKOSKY: Okay. With the exception of Mr. Fox's comments, is there anything else from either the Applicant or the staff?

MR. OGATA: Nothing from staff.

MR. THOMPSON: No, nothing from us. I do have closing remarks after everything.

HEARING OFFICER VALKOSKY: Just have a seat at the microphone, introduce yourself for the record, please.

MR. FOX: Dennis Fox.

PRESIDING MEMBER LAURIE: These are not amplification microphones. These are for recording only. And the acoustics in this room are very poor. So, if you could --

MR. FOX: Be a little louder, I will attempt to. However, this is a spare-the-air day and it coats the vocal chords.

Did you wish me to comment on just air quality and then come back and do the other?

HEARING OFFICER VALKOSKY: No, sir, you're free to make any comments that you'd wish

to make.

MR. FOX: I'm Dennis Fox, 918 Blossom, Bakersfield 93306.

Mr. Chairman and Members of the Commission, especially staff, I'd like to make my comments in just three areas. And mainly, I know it's LaPaloma, but I wanted to -- mainly as to the cumulative effects of all the sitings, the San Joaquin, lower San Joaquin.

I go a little far afield, but something came up, I'm noticing that which I think would be a beneficial thing. I like that on a positive, and it has to do with more of the sitings up here, but relocating them to the San Joaquin. And I think it will show up.

I'm mainly interested in air quality, water use and the impacts of water temperature. And I would like to -- I believe in incentives, and I was bringing this to your attention, maybe you could incentivize relocation.

First one, on air quality, the proposed sitings, all of them, including the cogens. Bakersfield and that area, as you know, is the, sometimes called the rectum of the San Joaquin. And it may be just because it is an enclosed

captive basin. We have inversion layers. And we're already number two for worst air in the area. And we don't need to be going around, we're number one.

Noticed in the preparation of the cumulative impacts that you did with the air quality district down there, that they believe that by using stacks that the pollutants would go to higher elevations. Maybe and maybe not, I don't know whether it would or not. And I doubt that. But possibly if it was to go to the desert and Arizona, this is not -- this is redirecting impacts. And I think a lot of the siting down there has to do with redirecting impacts from Los Angeles to our area.

And I'm not really into the NIMBY aspects, but I think that is a reason that it's being sent there is NIMBY.

I believe that these neighboring states and the forests should have input. There's towns right above it that are already getting pollution on the trees. Then comes the beetles. Then comes the fires. And that should be looked at.

We should look at the impacts on the local agriculture. It's already specialty crops

are going like lettuce and et cetera. Should get a -- perhaps take this up with the Farm Bureau. The Cooperative Extension in Bakersfield has been doing a great deal on air quality. The Department of Food and Ag.

It would seem the location of these sites on the other side of the Tehachapis would be efficient, reducing transmission loss. And there would exist the ability to utilize pollution credits. I believe the market-based concept of these credits, to incentivize air quality improvements really should be lauded. Like you've got to have market for the credits.

So, the people in L.A. clean it up, and you know, it would be a positive if they were in that area.

Now, as for water use, siting in the valley rather than the southern California, I think it's getting to the point that we are the initial aspects of Owens Valley. The price is good for selling the water. And I think it's encouraging some water districts to become used water dealers, kind of. Trying to get a good price, rather than utilizing the water for the original intent.

Since there exists a very real chance that in dry years water transported down the Friant-Kern and banked in the Fan, which is the Kern-Fan element of the local water recharge, the Kern Authority, this would be pumped for water plant use.

Now, the Bureau of Rec does not believe that water should be transported out of the basins. But if the benefit is being transported, that should be looked at. I believe it's okay, but I think this is kind of dotting the i's and crossing the t's.

Also, looking at the Friant water users, their opinion, and the City of Bakersfield's view, having their pristine water pumped out and, as they said, they would have to take some of that yucky aqueduct water to replace it.

These entities may not disapprove, but my point is that the various stakeholders should be contacted. If they are not, then your review would be considered cursory. And it's dotting the i's and crossing the t's.

Municipal water in Bakersfield and other valley towns, it gets recycled into ag use. In southern California water is dumped into the sea.

Now, if the plants were sited in southern California, then they could be utilizing that wastewater, or reclaimed water, for the plants. And I think that would be a benefit.

And I was told by the Commission up here that that is a practice going on in Pittsburg and Antioch and that area, using reclaimed water. So haven't reinvented the wheel.

And that's what brings me into the water temperature. Because I think there will be a positive use, the BOR using, and the CalFed for using water for cooling. And especially waters in the Sac, you know, down in the lower Delta.

These are ways by using the cooling water, dumping the cooling water into the river. If you dump cooling water, there's a formula. You have to use a water to cool it down. More water has to be used to cool water in the river for the salmon. They take cold water, and the steelhead. And there's quite water wars going on over using the environmental water, one thing and another, how much there is, and whether -- as a slight, it's not a magic bullet, maybe not even a magic B-B, I would ask you to see how much environmental water commitment it takes to lower these

temperatures to accept for these species that are of concern.

Also, take a look at the raising the water temperature into making it nice, cozy for mitten crabs and all these zebra mussels and everything that is inundating the area so badly.

I think there could be an alterative to siting on the rivers, and this is the opposite of what I was saying in the valley. It's kind of a flip. And it is that perhaps you can site it on the aqueduct, or you can site it on the East Delta. You're talking about the -- used to be the Peripheral Canal, now it's called the Isolated Facility. The Isolated Facility makes me in mind of the, I don't know, kind of a poorly located Port-A-Potty, you know. You know, everybody -- changing the name is probably felt would be better.

But mainly using the aqueduct water. Heated water going down in the aqueduct would not cause that great a problem. It would, of course, you know, might cause some more fog and maybe some algae bloom, but that could be dealt with.

And I would like, perhaps there could be incentives given on the cost of using that water

around Sinco Paso. I think that -- know that expanding current sites you've already done most of the environmental work is just Xeroxing and a lot of it. And you don't get the protests, the NIMBY and the -- as you would with as a new location.

But I think there could be some biological positives. And perhaps not. I think it is worth a look. Placing the siting on the aqueducts rather than on the river systems. And I believe you should contact CalFed for its opinion. And see what incentives for relocation would be feasible, if it is feasible at all, not being a biologist. Just asking for a look.

And hopefully there's something there. And, as I said, in closing then I wish you would contact experts rather, if you have any questions. I will be glad to answer any, but I would like to cede it over to your staff and to the experts involved. I'd note that my taxes have gone for their education. My taxes go for training and everything. And I think -- and most of them do know more than I do. I hate to bring -- you know, and I'm being just in general just a member of the public. I would like to cede to their expert

opinions.

If you have any questions I'll be glad to answer them.

PRESIDING MEMBER LAURIE: Thank you, Mr. Fox. Why don't you stay there for a minute.

HEARING OFFICER VALKOSKY: Mr. Thompson, do you have any response?

MR. THOMPSON: Only that, Mr. Fox, we do appreciate you coming up here and making your views known on the record. We recognize that it's often difficult for members of the public to get their voice heard in these proceedings. They're often technical, difficult, and we really appreciate your effort here.

We believe that we are so far along in this process for this particular plant that consideration of all of this may be difficult in this proceeding. But there are other proceedings.

We further agree with you, we think that staff and our experts have looked at much of this, and we agree with you that staff are very well qualified. And we think that we have adequate responses for all of this, and I guess what I would do is I'd like to leave you my card. And if there are specific questions regarding this

application, if I can send you documents that have been filed or anything like that, I'd like to do that.

And, again, we appreciate your participation.

MR. FOX: That's why -- I know it's far long, that's why I tried to generalize in going into the cumulative effects, because the others are coming up also.

MR. THOMPSON: Right, we appreciate it.

MR. FOX: Okay.

HEARING OFFICER VALKOSKY: Mr. Ogata, or Mr. Pryor, do you have any response to Mr. Fox's concerns?

MR. OGATA: Well, same as Mr. Thompson, we thank you for coming. You've come a long way to present these comments to us, and I think there are a lot of things here that our staff has looked at, -- things that we haven't, and certainly we have looked, ass you say, a lot of cases ongoing in that area. And certainly there are some cumulative impacts we probably need to look at.

I can offer that Keith Golden, our air quality expert, is here; and Joe O'Hagan, our water expert, is also here. And if you've got a

little bit of time, maybe they can spend a couple minutes with you afterwards, explaining to you what it is we have looked at to kind of give you some idea of the process that we use to analyze these things.

And maybe that will help you out a little bit in terms of responding to some of your questions and comments.

HEARING OFFICER VALKOSKY: Also, Mr. Ogata, is it fair to say that staff has examined the cumulative impacts including the air and water impacts, not only in this case, but we'll continue to do so in the pending and future applications?

MR. OGATA: Yes, that is a legal requirement that we look at cumulative impacts in every case. And this is the first of several that are being built in the area, so we're getting a lot better information about the cumulative impacts. And so, we'll certainly look into these things every time we analyze another power plant down here.

HEARING OFFICER VALKOSKY: Does that satisfy your concerns for now, Mr. Fox?

MR. FOX: Very much. I would like to talk to the staff about some of those.

HEARING OFFICER VALKOSKY: Okay, well --

MR. FOX: Yeah, afterwards.

HEARING OFFICER VALKOSKY: Then, Mr. Ogata, if you'll hold Mr. Goldman and Mr. O'Hagan to discuss these --

MR. FOX: Thanks for volunteering them.

HEARING OFFICER VALKOSKY: You bet. Well, they're the experts we have. Okay.

MR. FOX: Thank you.

HEARING OFFICER VALKOSKY: You're welcome, Mr. Fox.

Is there any other comments that anyone wishes to bring to the Committee's attention? With that, any concluding statements?

MR. THOMPSON: Only two. Absent objection I will assume that the next exhibit number in order will be the number that I will use for the final determination of compliance.

And finally, I would like to take this opportunity to thank the Committee and the staff. Personally this has been a delightful application to work on. It's nice coming in with an Applicant that's already purchased the offsets, knows where its water is coming from. It sure makes my job easier. And I think it makes the staff and the

Committee's job easier.

That is not to say that we've had some unexpected areas. We are -- getting through the California Fish & Game difficulty was something that we will forever be grateful to the staff for their help. They really stepped up and did that for us.

Some of the air issues that we were able to overcome, staff was very understanding and helpful going through the difficult issues that air always presents.

We also want -- I also want to thank the Committee and the Hearing Officer because all you have to do is walk by the offices of you folks and see the mounds of paper waiting to be processed, to realize that kind of loads you have. And here we are, less than 365 days from data adequacy, and we are nearing the end, the slippage in this project has been very minimal considering what we've been through in all.

And I want to personally thank staff counsel, staff project manager and members of the staff and this Committee and the Hearing Officer for this project.

HEARING OFFICER VALKOSKY: Thank you,

Mr. Thompson.

Mr. Ogata, anything from staff?

MR. OGATA: No. Again, we appreciate LaPaloma's efforts in this case. I think for me, personally, also this has been probably one of the easiest cases to work on.

And I think a lot of the staff have already indicated that they really appreciated the efforts of the LaPaloma team.

And having the air offsets, I think, earlier probably just about anybody who has ever been through here has made Mr Golden's life enjoyable. Because he's got plenty of other things he has to worry about.

So, we also appreciate the efforts. And I think that probably concludes our comments.

HEARING OFFICER VALKOSKY: Thank you. Anything from anyone else here present?

PRESIDING MEMBER LAURIE: In conclusion we would expect to see everybody on the 22nd unless there are either a) substantial modifications to the FDOC that requires additional work, or FDOC comes in too late to satisfy the needs of the additional Commission meeting.

MR. THOMPSON: Understand.

HEARING OFFICER VALKOSKY: Thank you. With that, we're adjourned.

(Whereupon, at 10:55 a.m., the conference was adjourned.)

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CERTIFICATE OF REPORTER

I, DEBI BAKER, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Conference; that it was thereafter transcribed into typewriting.

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 27th day of September, 1999.

DEBI BAKER