

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION OF THE
LOS ESTEROS CRITICAL ENERGY
FACILITY (Los ESTEROS)**

**DOCKET No. 01-AFC-12
APPLICATION COMPLETE
SEPTEMBER 25, 2001**

PROPOSED FINAL EXHIBIT LIST

- Exhibit 1: Staff Analysis of Los Esteros Critical Energy Facility Project (LECEF) filed on December 31, 2001. Sponsored by Staff; admitted into evidence on March 11, 2002.
- Exhibit 1A: Supplement to Staff Analysis filed on February 5, 2002. Sponsored by Staff; admitted into evidence on March 11, 2002.
- Exhibit 1B: Air Quality errata to Staff Assessment dated February 8, 2002. Sponsored by Staff; admitted into evidence on March 11, 2002.
- Exhibit 1C: Air Quality errata to Staff Assessment dated March 4, and March 21, 2002. Sponsored by Staff; admitted into evidence on March 11, 2002.
- Exhibit 1D: Soils and Water errata to Staff Assessment dated March 4, and March 21, 2002. Sponsored by Staff; admitted into evidence on March 11, 2002.
- Exhibit 1E: Comments on Staff Assessment dated January 11, 2002. Sponsored by PG&E, admitted into evidence on January 11, 2002.
- Exhibit 1F: Transmission System Reliability Testimony of Senior Grid Planning Engineer, Irina Green, dated March 6, 2002. Sponsored by Staff, admitted into evidence on March 11, 2002.
- Exhibit 1G: Staff's Supplemental Testimony Regarding Construction Schedule dated May 14, 2002. Sponsored by Staff, admitted into evidence on May 20, 2002.
- Exhibit 1H: Staff's Attachment 3--Potential Impacts At Conversion To Combined Cycle. Sponsored by Staff, admitted into evidence on May 20, 2002.

- Exhibit 1I: Staff's Analysis of 24-hour construction impacts (Attachment 1)-- Supplemental Testimony on Air Quality, Public Health, Noise, Traffic and Transportation, Transmission System Engineering, Biological Resources [and (Attachment 2--additional testimony regarding the stormwater outfall to Coyote Creek)] and Visual Resources.
- Exhibit 2: Application for Certification document, Volumes I- (Text) and Volume II- Appendices 1-10, filed August 6, 2001; as supplemented by Applicant's filings as follows. Sponsored by Applicant; received into evidence on March 11, 2002.
- Exhibit 2A: Final Determination of Compliance, by Bay Area Air Quality Management District, February 1, 2002. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2B: PM 10 Mitigation Plan from Sierra Research/Matthews to Huntley/CEC dated January 29, 2002. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2C: PM 10 Mitigation Plan from Sierra Research/Matthews to Worl/CEC dated 1/29/02. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2D: Data Request Response Set #1F, filed with the Energy Commission on December 28, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2E: SCR Design - Supplemental Information, filed with the Energy Commission on December 24, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2F: Data Request Responses Set 1E, filed with the Energy Commission on December 21, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2G: Complaint in Eminent Domain of Pacific Gas and Electric Company vs. North San Jose Energy Center, dated March 1, 2002. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2H: Los Esteros Presence Absence Testing Initial Results - February 16, 2002 County (Basin Research Associates, Inc. February 22, 2002). Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2I: Scope of Work - Mechanically Assisted Presence/Absence Testing, Los Esteros Critical Energy Facility, City of San Jose, Santa Clara

County (Basin Research Associates, Inc. February 3, 2002).
Sponsored by Applicant; admitted into evidence on March 11, 2002.

- Exhibit 2J Responses to CEC Data Request Set 1G, enclosing a letter dated January 28, 2002 from Sierra Research to CEC staff regarding revised air quality impacts for nitrogen dioxide. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2K: Final Cultural Resources Monitoring and Mitigation Plan, Los Esteros Critical Energy Facility, San Jose, California (CH2M Hill January 2002). Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2L: Comments filed by Calpine c* Power on the December 31, 2001 LECEF Staff Assessment. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2M: PM₁₀ Mitigation - Supplemental Information, filed December 21, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2N: Technical Specifications EEH-101 Heat Recovery Steam Generators and Accessories, filed December 21, 2001. (*Attached to Mr. Rubenstein's testimony*). Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2O: Data Request Responses Set #1D, filed December 11, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2P: PM₁₀ Mitigation, filed December 6, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2Q: Calpine Los Esteros CEF - Filed Inventory for Storm Drain Along Coyote Creek, City of San Jose, Santa Clara County (Basin Research Associates, Inc.) dated December 4, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2R: Data Request Response Set #1C (response to Visual Resource Data Request #124) filed November 30, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2S: Resolution and other documents pertaining to the General Plan Amendment for increasing the height limit, November 20, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2T: Data Request Response Set #1B, filed November 11, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.

- Exhibit 2U: Data Request Responses Set #1A, filed November 15, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2V: Pacific Gas & Electric's Draft Facilities Cost Report, filed November 19, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2V1: Final cost report filed March 18, 2002. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2W: Data Request Set #1, filed November 2, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2X: Data Adequacy Response filed September 14, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2Y: Copy of the final annexation paperwork for LECEF/US Dataport, filed September 11, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2Z: Planned Development Zoning Application, filed September 10, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2AA: Letter from City of San Jose to document the zoning status of the subject property to facilitate the Calpine Corp. application for CEC approval of the LECEF, filed August 15, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2BB: Application for Determination of Compliance and Authority to Construct filed with the Bay Area Air Quality Management filed August 8, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2CC: CDs of Ambient Air Quality Modeling and five sets of topographic maps, filed August 7, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2DD: Archaeological Survey Report for the Los Esteros Critical Energy Facility, North San Jose, California (CH2M Hill June 27, 2001). Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 2FF: Interconnection System Impact Studies from Cal ISO/Perez to Calpine Power/Gaglia/CEC/Dockets dated June 2, 2001.
- Exhibit 2GG: Calpine Power North San Jose Energy Center Interconnection System Impact Studies from Cal ISO/Perez to Calpine

Power/Gaglia/CEC/Dockets dated June 21, 2001. Sponsored by Applicant; admitted into evidence on March 11, 2002.

Exhibit 2HH: Historical, and Architectural Evaluation of the U.S. Dataport Planned Development Rezoning EIR Project Area on Alviso-Milpitas Road Between Coyote Creek and Zanker Road, Santa Clara County, California, prepared for David J. Power & Associates, Inc. by Randall Dean, May, 2000. Sponsored by Applicant; admitted into evidence on March 11, 2002.

Exhibit 3: **Applicant's Uncontested Topic Area Testimony as follows:**

Exhibit 3A: Compliance Monitoring and Closure. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3B: Facility Design. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3C: Power Plant Reliability. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3D: Transmission Line Safety & Nuisance. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3E: Noise. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3E1: Applicant's Supplemental Testimony on Noise. Sponsored by Applicant and admitted into evidence on May 20, 2002.

Exhibit 3F Cultural Resources. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3G: Geology. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3H: Paleontology. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3I: Socioeconomics. Sponsored by Applicant and admitted into evidence on March 11, 2002.

Exhibit 3J: Waste Management. Sponsored by Applicant and admitted into evidence on March 11, 2002.

- Exhibit 3K: Traffic & Transportation. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 3K1: Applicant's Supplemental Testimony on Traffic and Transportation. Sponsored by Applicant and admitted into evidence on May 20, 2002.
- Exhibit 4: **Applicant's Contested Topic Area Testimony as follows:**
- Exhibit 4A: Power Plant Efficiency Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4B: Air Quality Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4B1: Applicant's Supplemental Testimony on Air Quality. Sponsored by Applicant and admitted into evidence on May 20, 2002.
- Exhibit 4C: Public Health Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4C1: Applicant's Supplemental Testimony on Public Health. Sponsored by Applicant and admitted into evidence on May 20, 2002.
- Exhibit 4D: Hazardous Materials Management Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4E: Worker Safety & Fire Protection Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4F: Transmission System Engineering Testimony. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 4F1: Applicant's Supplemental Testimony on Transmission System Engineering. Sponsored by Applicant and admitted into evidence on May 20, 2002.
- Exhibit 4G: Land Use Testimony. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 4H: Visual Resources Testimony. Sponsored by Applicant; admitted into evidence on March 11, 2002.
- Exhibit 4H1 Visual Testimony of Marsha Gale dated March 8, 2002. Sponsored by Applicant and admitted into evidence on March 11, 2002.

- Exhibit 4H2: Applicant's Supplemental Testimony on Visual Resources. Sponsored by Applicant and admitted into evidence on May 20, 2002.
- Exhibit 4I: Biological Resources Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4I1: Applicant's Supplemental Testimony on Biological Resources. Sponsored by Applicant and admitted into evidence on May 20, 2002.
- Exhibit 4J Project Description Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4K: Alternatives Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 4L: Soil & Water Resources Testimony. Sponsored by Applicant and admitted into evidence on March 11, 2002.
- Exhibit 5: City Council Amended Agenda dated March 5, 2002 (9 pages). Sponsored by T.H.E. P.U.B.L.I.C admitted into evidence on March 11, 2002.
- Exhibit 6: Coalition Testimony of Dr. William B. Marcus/Gayatri M. Schilberg dated March 6, 2002. Sponsored by Coalition; admitted into evidence on March 11, 2002.
- Exhibit 7: City of Milpitas Testimony of Dr. Gary R. Clay dated March 6, 2002. Sponsored by the City of Milpitas; admitted into evidence on March 11, 2002.
- Exhibit 8: Applicant and City of Milpitas Draft Settlement Document on Visual Resources. Sponsored by Applicant and the City of Milpitas and admitted into evidence on May 20, 2002.

[Exhibit 9 for Identification: Letter dated May 23, 2002 from Jane E. Luckhardt to the Los Esteros Siting Committee \(Docket No. 01-AFC-12. Sponsored by Applicant and received into evidence on _____.](#)

Joint Exhibits

- Exhibit 1: Modified AQ-SC1 and new AQ-SC5 proposed by the Applicant and Staff. Sponsored jointly by Applicant and Staff and admitted into evidence on May 20, 2002.