

Memorandum

Date : December 6, 1999

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To : **Metcalfe Energy Center Siting Committee:**

Robert A. Laurie, Presiding Member

William J. Keese, Second Member

File:S/projects/metcalfe/status/sconf121699.doc

From : **California Energy Commission** - Paul Richins, Jr.
1516 Ninth Street Energy Commission Project Manager
Sacramento, CA 95814-5512

Subject : **STATUS REPORT 4 AND METCALFE STATUS CONFERENCE--December 16, 1999**

We appreciate the opportunity afforded to all those involved in the case to provide the Committee with information pertaining to the schedule. The attached suggested revised schedule is included for your consideration. This schedule has been shared with the City of San Jose and Calpine/Bechtel and is being made available to the Committee and all intervenors in advance of the Status Conference scheduled for December 16, 1999. The City of San Jose and Calpine/Bechtel may not completely agree with each of the suggested dates. However, they each concur that additional time is needed to produce a complete Preliminary Staff Assessment (PSA) and a complete Final Staff Assessment (FSA).

Calpine/Bechtel has suggested that we consider a multi-part PSA released to the public in stages as a means of expediting the schedule. Although we have done this in the past for other cases, we recommend against doing so in this case. Our goal is to produce a single, comprehensive document for the City of San Jose, the public, intervenors and the Commissioners. Preliminary Staff Assessments and FSAs produced and released to the public in stages have created confusion in the past and would likely cause unnecessary confusion in this case, given the number of issues, the complexity of those issues, and the large number of intervenors and interest of the public.

The Scheduling Notice issued by the Committee asked a series of questions regarding key milestones. The attached suggested revised schedule, in conjunction with the following items, address the Committee's questions.

1. Application for Certification (AFC) Supplement A and Supplement B were received on October 1, and October 15, 1999;
2. The last remaining data responses from Set 1/Set 2 were completed and filed on November 29, 1999;
3. Data requests (Set 3) related to AFC Supplement A and Supplement B and Set 1/Set 2 data responses were filed on December 3, 1999;

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4. Calpine/Bechtel has been meeting with the City of San Jose to understand and resolve the City's concerns. This has resulted in further changes to the project. Supplement C, reflecting these changes, including new air quality modeling may be filed around February 1, 2000 (estimated date).
5. With the filing of AFC Supplement B (air quality modeling), the Bay Area Air Quality Management District (BAAQMD) has determined that the data submitted is inadequate as the model used by the Applicant has not been approved by the US E.P.A. Calpine/Bechtel has agreed to remodel and resubmit to the BAAQMD and Energy Commission using an approved model;
6. Consequently, the Preliminary Determination of Compliance (PDOC) was not issued on October 25, 1999, as requested in the original scheduling order, but may be issued about 2 months from the date Calpine/Bechtel resubmits the modeling to the BAAQMD;
7. Additional transmission system studies were required by the Cal-ISO and are not expected to be completed until the middle of January. The Cal-ISO requires about three weeks for their review and preliminary assessment;
8. Energy Commission staff anticipates extensive PSA workshops, necessitating additional time between the PSA and the FSA. Normally we require 60 days between the two reports. For this case, we anticipate needing about 90 days to complete the workshops and additional analysis that may be requested by the intervenors and City of San Jose; and
9. Due to workload and the numerous issues to be resolved between the Applicant and the City of San Jose staff, the City Council will not be able to take up Calpine/Bechtel's general plan and rezoning requests until August, 2000.

We look forward to presenting this material and answering your questions at the December 16, 1999 Status Conference.

Attachment

cc: Metcalf POS list
BAAQMD

Suggested Revised Schedule for Metcalf Energy Center¹ (12/6/99)

<u>Event</u>	<u>Scheduling Order Date</u>	<u>Date</u> ²
AFC Supplements A and B		10/1 & 10/15/99
MOU w/ San Jose completed	08/13/99	unknown
Data Responses--Set 1 and 2	08/20/99 (set 1)	11/29/99
Set 3 Data Requests Issued		12/03/99
Set 3 Data Responses Filed		01/04/00
Supplement C and Revised Air Quality Modeling Completed		02/01/00 ³
Cal-ISO T-line preliminary approval	08/31/99	02/04/00 ⁴
Air District-PDOC	10/25/99	04/03/00 ⁵
Preliminary Staff Assessment (PSA) Issued	12/07/99	04/24/00 ⁶
CEC-PSA Workshops		May/June
Air District-FDOC		06/02/00
Final Staff Assessment (FSA)		07/18/00 ⁷
City Planning Commission Study Session(s) and Hearing(s)		July/Aug 2000
City Council Hearing(s)		August 2000
CEC Evidentiary Hearings		July/August ⁸
Presiding Member's Proposed Decision (PMPD)		end of October ⁹
Revised PMPD		mid-December ¹⁰
CEC Decision		Dec 00/Jan 01 ¹¹

¹ The Metcalf Application for Certification (AFC) was filed on 04/30/99 and found data adequate on 06/23/99

² The suggested dates are predicated on there being no additional major changes to the project. Additional changes could cause further delay depending on the nature of the changes.

³ The revised schedule is predicated upon the assumption that information from Calpine/Bechtel; state, federal and local agencies; and intervenors being received in a timely manner. For instance, if Supplement C and the air quality modeling is not delivered by 2/1/00, then subsequent dates will shift accordingly.

⁴ Cal-ISO provided preliminary comments on PG&E's detailed transmission line facilities study on 09/02/99 and requested additional analysis. This additional analysis is expected to be completed by PG&E around January 14, 2000. The Cal-ISO requires three weeks to complete its review.

⁵ On November 4, 1999, the October 15, 1999 AFC Supplement B was deemed incomplete by the Bay Area Air Quality Management District (BAAQMD). Once the required modeling data is provided by Calpine/Bechtel, the BAAQMD will need about 45-60 days to complete the PDOC.

⁶ Provided that information critical to staff's assessment is received in a timely manner from the applicant, City of San Jose, federal, state, and local agencies, the California Energy Commission staff will attempt to produce the PSA and FSA ahead of these estimated dates.

⁷ The FSA is normally issued 60 days after the PSA. However, staff estimates that 3-4 additional weeks will be needed for workshops and further analysis to address the various issues of the intervenors and the City of San Jose.

⁸ CEC Evidentiary Hearings in July and August with the land use hearing scheduled after the City Council meets and votes on the General Plan Amendment and change in zoning designation in August.

⁹ There are normally 60 days from the close of the hearings to the issuance of the PMPD. Since the hearings will span two to three months, it may be possible to reduce the 60 days.

¹⁰ The revised PMPD is normally issued 45 days after the PMPD.

¹¹ The Energy Commission hearing to adopt a final decision usually occurs about 15 days after the revised PMPD.