

COMMITTEE MEETING
BEFORE THE
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the:)
)
Application for Certification)
for the Quail Brush)
Generation Project)
_____)

Docket No.
11-AFC-03

California Energy Commission DOCKETED 11-AFC-3
TN # 2907 DEC 11 2012

CALIFORNIA ENERGY COMMISSION
THIRD FLOOR CONFERENCE ROOM
1516 NINTH STREET
SACRAMENTO, CALIFORNIA

TUESDAY, DECEMBER 4, 2012

3:00 p.m.

Reported by:
John Cota
Contract No. 170-09-002

COMMITTEE MEMBERS PRESENT

Andrew McAllister, Associate Member

HEARING OFFICER, ADVISORS PRESENT

Raoul Renaud, Hearing Officer

Galen Lemei, Advisor to Commissioner Douglas

Jennifer Nelson, Advisor to Commissioner Douglas

Patrick Saxon, Advisor to Commissioner McAllister

Eileen Allen, Commissioners' Technical Adviser for Facility Siting

CEC STAFF PRESENT

Stephen Adams, Staff Counsel

Eric Solorio, Project Manager

Blake Roberts

OFFICE OF THE PUBLIC ADVISER

Jennifer Jennings, Public Adviser

APPLICANT

Sarah Barker Ball (via WebEx)
Bingham McCutchen LLP

INTERVENORS

Van Collinsworth (via WebEx)
Preserve Wild Santee

Phillip M. Connor (via WebEx)
Sunset Greens Home Owners Association

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P R O C E E D I N G S

3:00 p.m.

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3 HEARING OFFICER RENAUD: Good afternoon. This is
4 Raoul Renaud, the Hearing Advisor for the Quail Brush
5 Generation Project here at the California Energy Commission.

6 This is the is Committee Meeting that was noticed
7 to take place today, December 3rd at -- I'm sorry, December
8 4th at 3:00 o'clock. We are awaiting the arrival of
9 Committee Members and then we'll get underway. I just want
10 to thank you for your patience.

11 As you know, the purpose of this Committee Meeting
12 is primarily for the purpose of conducting closed session
13 deliberations with the Committee Members but we will provide
14 an opportunity for public comment before we adjourn into
15 closed session.

16 (Pause until 3:07 p.m.)

17 HEARING OFFICER RENAUD: Good afternoon, everyone.
18 This is Raoul Renaud, I am the Hearing Officer for the
19 Quail Brush Generation Project AFC, Docket Number 11-AFC-03
20 at the California Energy Commission. Today is Tuesday,
21 December 4th, 2012 and this is the Committee Meeting that
22 was scheduled to take place at this time and place.

23 We are going to -- the main purpose of this
24 Committee Meeting is to give the Committee an opportunity to
25 conduct deliberations concerning this matter pursuant to

1 Government Code Section 1126(c)(3).

2 According to the agenda, after the call to order
3 we would listen to any public comment from the parties and
4 from members of the public and then the Committee would
5 adjourn into closed session.

6 We have here in the room -- let's see, I'll just
7 go around the room and introduce the folks who are here. I
8 have Galen Lemei, who is the advisor to Commissioner
9 Douglas, the Presiding Member, Eileen Allen, the
10 Commissioners' Technical Advisor for Siting, Stephen Adams,
11 the staff counsel assigned to this matter, Eric Solorio, the
12 staff project manager, Jennifer Jennings, Public Adviser,
13 Blake Roberts and Jennifer Nelson.

14 And I can see from the WebEx screen that we have a
15 number of call-in participants, including some of you who
16 are intervenors. I think we will ask at this time if there
17 is any public comment. Does anyone wish to make a public
18 comment?

19 MR. COLLINSWORTH: This is Van Collinsworth with
20 Preserve Wild Santee, I have a brief comment.

21 HEARING OFFICER RENAUD: All right, please go
22 ahead, sir.

23 MR. COLLINSWORTH: Yes. I wanted to make sure
24 that the Commission was aware that last week the San Diego
25 City Council followed through and changed the -- added the

1 700 acres in the vicinity of the power plant parcel.
2 Essentially changed the status from designated open space
3 into dedicated open space. Now it has two-thirds protection
4 by vote of the people to change.

5 HEARING OFFICER RENAUD: Yes.

6 MR. COLLINSWORTH: I think the significance of
7 that is that it's reaffirming the natural resources of those
8 parcels that will eventually be added to Mission Trails
9 Regional Park.

10 HEARING OFFICER RENAUD: Yes, thank you for
11 bringing that to our attention. I did notice that in your
12 status report and we appreciate that.

13 MR. COLLINSWORTH: I also briefly wanted to
14 mention the CPUC decision. I'm sure the Commissioners are
15 aware of that. But I do think that it would be appropriate
16 for the applicant or the Commissioners for [audio cutting
17 out] how that decision is [audio cutting out]. And that's
18 all I have, pretty much.

19 HEARING OFFICER RENAUD: All right, thank you very
20 much, we appreciate your comment. And I should add that
21 while you were speaking the Commissioner who is the
22 Associate Member of the Committee entered the room,
23 Mr. Andrew McAllister. And, sir?

24 ADVISOR SAXON: Patrick Saxon.

25 HEARING OFFICER RENAUD: And Patrick Saxon, one of

1 his advisors.

2 Okay, is there anyone else who'd wish to make a
3 public comment at this time?

4 (No response).

5 If you want to make a public comment just speak
6 up.

7 (No response).

8 All right, I'll ask one more time and then we're
9 going to go ahead and adjourn into closed session. Anyone
10 wishing to make a public comment please go ahead.

11 MR. CONNOR: Renaud, this is Phil Connor, I'm with
12 the Sunset Greens Home Owners Association.

13 HEARING OFFICER RENAUD: Okay.

14 THE REPORTER: Who is this?

15 HEARING OFFICER RENAUD: Phil Connor --

16 MR. CONNOR: Unfortunately I'm getting a lot --

17 HEARING OFFICER RENAUD: Hold on one second here.

18 Phil Connor, Sunset Greens Homeowners Association. Go
19 ahead.

20 MR. CONNOR: I'm getting a lot of feedback. I'm
21 having a little trouble hearing. I just have a question. I
22 wanted to know whether in the executive session whether the
23 PUC's decision is part of the deliberations for
24 consideration?

25 HEARING OFFICER RENAUD: Well, what I can tell you

1 is that the Committee will be considering a number of
2 things, including possible adjustments to the schedule and
3 the matters raised in your status reports. And since at
4 least one or two of you did bring up the CPUC matter in the
5 status reports I'm sure that will be a topic of discussion.

6 I can't tell you that there will be any decisions made with
7 respect to that at this point.

8 MR. CONNOR: Do we have an ETA when the meeting,
9 when the meeting will reconvene or will there be a report
10 that will be generated out of the closed session?

11 HEARING OFFICER RENAUD: We do not intend that
12 there will be a report. If the Committee makes any
13 decisions regarding adjustments to the schedule, that will
14 be reflected in a revised schedule that would be issued.
15 However, i believe we would actually wait until after the
16 Status Conference, which is next Monday, to finalize
17 anything along those lines.

18 MR. CONNOR: (Indiscernible).

19 HEARING OFFICER RENAUD: All right, thank you.
20 Any further comment?

21 MS. BARKER BALL: This is Sarah Barker Ball,
22 counsel for the applicant.

23 HEARING OFFICER RENAUD: Hi.

24 MS. BARKER BALL: We just wanted to state that
25 because the PUC proceeding is a completely separate process

1 and that decision is now pending, our position is that it
2 shouldn't alter the current CEC process until something
3 final from the PUC comes out.

4 ASSOCIATE MEMBER McALLISTER: It's a proposed
5 decision.

6 HEARING OFFICER RENAUD: Yes, we understand that,
7 it's a proposed decision at this point.

8 Okay, thank you. Any other comment?

9 (No response).

10 All right, thank you then for joining and the
11 Committee is now going to adjourn into closed session.

12 When that is completed, which I anticipate would
13 be within one to two hours, we will come back on just to
14 simply adjourn the meeting formally. But other than that
15 we'll see you or hear from you on Monday, December 10th, at
16 the status conference. Thank you very much.

17 (The Committee adjourned into a
18 closed session at 3:14 p.m.)

19 (The Committee reconvened from closed
20 session at 4:35 p.m., had nothing to
21 report and immediately adjourned.)

22 --oOo--

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CERTIFICATE OF REPORTER

I, JOHN COTA, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Committee Meeting; that it was thereafter transcribed.

I further certify that I am not of counsel or attorney for any of the parties to said meeting, or in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of December, 2012.

JOHN COTA

CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

RAMONA COTA, CERT**478

December 7, 2012