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

In the Matter of the: )
for the Quail Brush ) 11-AFC-03
Generation Project )

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

EHLERT BUSINESS GROUP
(916) 851-5976
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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PROCEEDINGS

3:00 p.m.

HEARING OFFICER RENAUD: Good afternoon. This is Raoul Renaud, the Hearing Advisor for the Quail Brush Generation Project here at the California Energy Commission. This is the Committee Meeting that was noticed to take place today, December 3rd at -- I'm sorry, December 4th at 3:00 o'clock. We are awaiting the arrival of Committee Members and then we'll get underway. I just want to thank you for your patience.

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

(Pause until 3:07 p.m.)

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

We are going to -- the main purpose of this Committee Meeting is to give the Committee an opportunity to conduct deliberations concerning this matter pursuant to
Government Code Section 1126(c)(3).

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

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

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

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

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

MR. COLLINSWORTH: Yes. I wanted to make sure that the Commission was aware that last week the San Diego City Council followed through and changed the -- added the
700 acres in the vicinity of the power plant parcel.
Essentially changed the status from designated open space
into dedicated open space. Now it has two-thirds protection
by vote of the people to change.

HEARING OFFICER RENAUD: Yes.

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

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

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

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

ADVISOR SAXON: Patrick Saxon.

HEARING OFFICER RENAUD: And Patrick Saxon, one of
his advisors.

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

(No response).

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

(No response).

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

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

HEARING OFFICER RENAUD: Okay.

THE REPORTER: Who is this?

HEARING OFFICER RENAUD: Phil Connor --

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

HEARING OFFICER RENAUD: Hold on one second here.


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

HEARING OFFICER RENAUD: Well, what I can tell you
is that the Committee will be considering a number of things, including possible adjustments to the schedule and the matters raised in your status reports. And since at least one or two of you did bring up the CPUC matter in the status reports I'm sure that will be a topic of discussion. I can't tell you that there will be any decisions made with respect to that at this point.

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

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

MR. CONNOR: (Indiscernible).

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

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

HEARING OFFICER RENAUD: Hi.

MS. BARKER BALL: We just wanted to state that because the PUC proceeding is a completely separate process
and that decision is now pending, our position is that it shouldn't alter the current CEC process until something final from the PUC comes out.

ASSOCIATE MEMBER McALLISTER: It's a proposed decision.

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

Okay, thank you. Any other comment?

(No response).

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

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

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

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

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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