

Memorandum

To: James D. Boyd
Presiding Member, Sentinel Energy
Project Committee

Date : August 30, 2010

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From: Caryn Holmes, Staff Counsel IV
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California Energy Commission
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Subject: CPV Sentinel (Docket No. 07-AFC-3)

Due to furloughs, California Energy Commission (Energy Commission) staff was unable to file a Reply Brief in the Sentinel Energy Project proceeding on Friday, August 27, 2010. Staff believes it fully addressed all relevant issues in its Opening Brief, filed on August 13, 2010. Nonetheless, staff would like to underscore its support for the conclusions reached in the applicant's Reply Brief. There is no reasonable interpretation of applicable federal and state law that would require the Energy Commission to withhold a decision on this Application for Certification until the Environmental Protection Agency approves the proposed amendment to the State Implementation Plan reflecting the transfer of offsets to the Sentinel project pursuant to the AB 1318 Tracking System. The Energy Commission has rejected similar arguments in the past and should reject Intervener's arguments here. The Sentinel Energy Project Committee should complete the air quality portion of the Presiding Member's Proposed Decision and place it expeditiously before the full Commission for its consideration and decision.