

STATE OF CALIFORNIA

CALIFORNIA ENERGY RESOURCES AND DEVELOPMENT COMMISSION

In the Matter of:

Docket No. 01-AFC-19

Sacramento Municipal Utility District's
Application for Certification of the
Cosumnes Power Plant

**OBJECTION TO CALIFORNIA
ENERGY COMMISSION STAFF DATA REQUEST 183**

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DOWNEY, BRAND, SEYMOUR & ROHWER, LLP
JANE E. LUCKHARDT, ESQ. (Bar No. 141919)
555 Capitol Mall, Tenth Floor
Sacramento, CA 95814-4686
Telephone: (916) 441-0131
Facsimile: (916) 441-4021

SACRAMENTO MUNICIPAL UTILITY DISTRICT
STEVEN COHN, ESQ. (Bar No. 88565)
6201 S Street
Sacramento, CA 95817
Telephone: (916) 732-5847
Facsimile: (916) 732-6581

Attorneys for Applicant
Sacramento Municipal Utility District

STATE OF CALIFORNIA

ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

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_____]	

On January 4, 2002, Sacramento Municipal Utility District (“SMUD”) received California Energy Commission (“Commission”) Staff’s data requests 166 through 183. SMUD and their consultants have conducted an initial review of these requests and expect to file responses to all requests but 183 by February 4, 2002, as specified by Title 20 California Code of Regulations (“Siting Regulations”¹) Section 1716 (f). As always, SMUD is willing to work with Commission Staff to provide information that is reasonably available to SMUD that is relevant to the Application for Certification for the Cosumnes Power Plant (“Application”) or reasonably necessary to make a decision on the Application (Siting Regulations 1761[b]).

Request 183 asks SMUD to “provide a complete Phase I ESA for the 30-acre site, laydown areas, and 26-mile gas pipeline corridor according to ASTM 2000 guidelines.” The requested information is unnecessary to make a decision on the Application due to the analysis completed and included in Section 8.13.3 of the Application. The location of the proposed Cosumnes Power Plant has been under SMUD ownership and control since 1966 (Application 8.13-4). Section 8.13.3 of the Application discusses prior uses of the site and surrounding areas known from both a database search and anecdotal sources as well as the results of a physical

¹ Sections 1001 et. seq.

inspection. Similarly, a database search of the linear corridors was completed (Application 8.13-4 to 8.13-5 and Appendix 8.13). A discussion of the contaminated soils expected to be encountered along the linear facilities is also included (see Application 8.13-5). Due to SMUD's planned construction of linears along railroad and roadway corridors, SMUD included a construction plan (Section 8.13.3.5) in the Application to address contaminated soils encountered during construction of the linear facilities.

The investigations already completed by SMUD and common knowledge of potential contamination along railroad right-of-ways provide a picture of the potential contaminants that could be encountered during project construction. The construction plan to address contaminants expected to be encountered during construction provides a method to protect public and worker safety. Thus, the formal completion of a Phase I analysis for Cosumnes Power Plant and along 26 miles of linear corridor would not provide additional information that is reasonably necessary to reach a decision on the application. Performing a Phase I, given the information in the Application, would simply result in an unnecessary project expense to be borne by SMUD ratepayers.

For the above stated reasons SMUD objects to data request 183. SMUD is willing to work with Commission Staff to resolve this issue but needs to be mindful of incurring unnecessary expenses.

Respectfully,

Jane E. Luckhardt
Downey, Brand, Seymour & Rohwer, LLP

Steven M. Cohn, Senior Attorney
Sacramento Municipal Utility District