



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION FOR THE
IMPERIAL VALLEY SOLAR PROJECT
(formerly known as SES Solar Two Project)
IMPERIAL VALLEY SOLAR, LLC

DOCKET No. 08-AFC-5

COMMITTEE ORDER DENYING MOTION FOR REVISED SCHEDULE

Upon consideration of the Motion for a Revised Schedule filed by Petitioner, California Native Plant Society (CNPS), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On July 9, 2010, a Motion for a Revised Schedule in the above-captioned proceeding was filed by:

California Native Plant Society
Tom Beltran
P.O. Box 501671
San Diego, CA 92150
cnpsd@nyms.net

2. The Motion asks the Committee to revise the schedule in this matter because the Supplemental Staff Assessment (SSA) was filed on July 7, 2010, one day after the date called for in the June 30, 2010 schedule.
3. The Committee has since determined to extend the due dates for Opening Testimony and Rebuttal Testimony by one day to account for the one-day delay in filing the SSA.
4. Moving party CNPS claims that it will have less than one week to review the SSA and prepare its opening testimony. However, review of the SSA is not necessary in order to file opening testimony. In fact, the Schedule calls for opening testimony of all parties, including staff, to be filed on July 14. Opening testimony is each party's independent, affirmative testimony, and is not necessarily responsive to the testimony of other parties.
5. The Committee agrees with Intervenor CNPS that parties need time to review the opening testimony of the other parties in order to prepare rebuttal testimony. The schedule provides for two weeks from the date of publication of the SSA, which is ample time. Typical Energy Commission Scheduling Orders allow no more than two weeks for preparation of rebuttal, and frequently allow less time.

THEREFORE, the Committee **Orders** that the Motion of CNPS for a Revised Schedule in this matter be **DENIED**.

Dated: July 12, 2010 at Sacramento, California.

Original signed by: _____
JEFFREY D. BYRON
Commissioner and Presiding Member
Imperial Valley Solar AFC Committee

Original signed by: _____
ANTHONY EGGERT
Commissioner and Associate Member
Imperial Valley Solar AFC Committee