CALIFORNIA ENERGY COMMISSION
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SACRAMENTO, CA 95814-5512

DOCKET
00-AFC-2C
DATE AUG 24 2005
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STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:	)	
Mountainview Power Project	)	**Docket No. 00-AFC-2C**
	)	
Mountainview Power Company, LLC	)	**Order No. 05-0824-03**
	)	**ORDER APPROVING** Petition to Delay
	)	Completing the Color Treatment Application of
	)	the Power Plant to Within 90 days After the
	)	Start of Commercial Operations

Mountainview Power Company, LLC the owner/operators of the Mountainview Power Project, has requested to modify the timing for completion of the color treatment application of the power plant from prior to the first turbine roll to 90 days after the start of commercial operations. The modification will allow Mountainview Power Company, LLC to complete commissioning activities and begin commercial operations four months sooner.

STAFF RECOMMENDATION

The Energy Commission staff reviewed the petition and find that it complies with the requirements of Title 20, Section 1769(a) of the California Code of Regulations and recommends approval of Mountainview Power Company, LLC's petition to modify the Mountainview Power Project and amend the related Condition of Certification.

COMMISSION FINDINGS

Based on staff's analysis, the Energy Commission concludes that the proposed change will not result in any significant impact to public health and safety, or the environment. The Energy Commission finds that:

- The petition meets all the filing criteria of Title 20, section 1769(a) of the California Code of Regulations concerning post-certification project modifications.
- The modification will not change the findings in the Energy Commission's Final Decision pursuant to Title 20, section 1755.
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;
- The Change will be beneficial to the project owner because it will allow for flexibility in the commissioning schedule, earlier commercial operations resulting in a small reduction in project costs.

- The change is based on information that was not available to the parties prior to Energy Commission certification in that the specifics of engineering and the construction schedule were not known at that time.

CONCLUSION AND ORDER

The California Energy Commission hereby adopts Staff's recommendations and approves the following change to the Mountainview Power Project Decision. New language is shown **double-underlined and bolded**, and deleted language is shown in ~~strikeout~~.

CONDITION OF CERTIFICATION

VIS-1: ~~Prior to first turbine roll,~~ **T**he project owner shall treat the project structures, buildings, and tanks in appropriate colors or hues that minimize visual intrusion and contrast by blending with the surrounding landscape, and shall treat those items in a non-reflective finish. A specific treatment plan will be developed for CEC approval to ensure that the proposed colors do not unduly contrast with the surrounding landscape colors. The plan will be submitted sufficiently early to ensure that any precolored buildings, structures, and linear facilities will have colors approved and included in bid specifications for such buildings or structures.

Protocol: The project owner shall submit a treatment plan for the project to the California Energy Commission Compliance Project Manager (CPM) for review and approval. The treatment plan shall include:

- Specification, and 11" x 17" color simulations, of the treatment proposed for use on project structures, including structures treated during manufacture;
- A list of each major project structure, building, and tank, specifying the color(s) proposed for each item;
- Documentation that a non-reflective finish will be used on all project elements visible to the public;
- A detailed schedule for completion of the treatment; and,
- A procedure to ensure proper treatment maintenance for the life of the project.

If the CPM notifies the project owner that revisions of the plan are needed before the CPM will approve the plan, the project owner shall submit a revised plan to the CPM. After approval of the plan by the CPM, the project owner shall implement the plan according to the schedule and shall ensure that the treatment is properly maintained for the life of the project. For any structures that are treated during manufacture, the project owner shall not specify the treatment of such structures to the vendors until the project owner receives notification of approval of the treatment plan by the CPM. The project owner shall not perform the final treatment on any structures until the project owner receives notification of approval of the treatment plan from the CPM. The project owner shall notify the CPM within one week after all pre-colored structures have been erected and all structures to be treated in the field have been treated and the structures are ready for inspection.

Verification: At least 60 (sixty) days prior to ordering the first structures that are color treated during manufacture, the project owner shall submit its proposed plan to the CPM for review and approval.

If the CPM notifies the project owner that any revisions of the plan are needed before the CPM will approve the plan, within 30 days of receiving that notification, the project owner shall submit to the CPM a revised plan.

~~Not less than thirty (30) days prior to~~ **Within ninety (90) days after** the start of commercial operation, the project owner shall notify the CPM that all structures treated during manufacture and all structures treated in the field are ready for inspection.

The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report.

IT IS SO ORDERED.

Dated: August 24, 2005

STATE ENERGY RESOURCES
CONSERVATION AND
DEVELOPMENT COMMISSION

JACKALYNE PFANNENSTIEL
Vice Chair