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STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

Jerry T. [Signature]
ESD
D. Buford MS 6/3

Jan H [Signature]

In the Matter of:)
Application for Certification of)
the Russell City Energy Center)

Docket No. 01-AFC-7
(AFC Accepted 7/11/01)

NOTICE OF EVIDENTIARY HEARINGS

PLEASE TAKE NOTICE that the committee designated to conduct proceedings on the Application for Certification for the *RUSSELL CITY ENERGY CENTER* will hold evidentiary hearings as follows:

THURSDAY & FRIDAY, JUNE 20 & 21, 2002

Beginning at 9:00 am

City of Hayward, City Hall

777 "B" Street

Hayward, California 94541

[Wheelchair Accessible]

[Map Attached]

TOPICS MAY BE CONTINUED FROM ONE DAY TO THE NEXT AS NECESSARY

At the evidentiary hearings, the parties (Applicant, Staff, Intervenors) may present evidence consisting of sworn testimony or declarations and exhibits on each topic area. Presentations will follow the agenda reflected in ATTACHMENT A, which is attached to this notice.

A. Formal Evidentiary Hearing Procedures

The purpose of these formal evidentiary hearings is to establish the factual record necessary to reach a decision in this case. This is done through the taking of written and oral testimony as well as through the pre-filed exhibits from the parties. These hearings are more structured than the Committee Conferences and the informal Staff workshops, which have already occurred. A party proposing to sponsor witnesses **must file in advance**, a written version of the witnesses' testimony and a statement of the witnesses' qualifications to testify upon the topic area(s) according to the schedule below. Witnesses who testify on contested topics will testify under oath or affirmation and be subject to cross-examination by other parties who have intervened in the case. Parties intending to offer documentary exhibits (including declarations) as evidence other than the Staff Assessment, the Application for Certification document or portions of either) shall also include a copy of such materials with their pre-filed written

testimony. For any uncontested topic, the parties may submit the witness's written testimony and declaration as an exhibit.

Please note that the Committee will not allow "surprise documents" offered without advance notice to opposing parties. To the extent that such documents contain information not previously filed, they may be subject to a motion to strike.

At the evidentiary hearings, a party sponsoring a witness shall briefly establish the witness' qualifications and have the witness orally summarize the prepared testimony before requesting that the testimony be moved into evidence. Relevant exhibits may be offered into evidence at that time as well. At the conclusion of a witness' direct testimony, the Committee will provide the other parties an opportunity for cross-examination, followed by redirect and recross examination as appropriate.

Where a topic area is not contested, declarations on a particular topic area will be received only if there are no credible objections by the other parties.

Parties are encouraged to consolidate presentations by witnesses and/or cross-examination to the greatest extent possible in order to minimize duplication and conserve hearing time.

FAILURE TO PRESENT WITNESSES AS SCHEDULED, OR TO CROSS-EXAMINE ON THE TOPICS AS SCHEDULED CAN CONSTITUTE A WAIVER OF THESE RIGHTS.

B. Public Adviser and Public Participation

The Energy Commission's Public Adviser is available to assist the public in participating in the certification review process. Members of the public may participate in all aspects of the review process in a variety of ways. If you need information concerning public participation, please contact the Commission's Public Adviser, Roberta Mendonca at (916) 654-4489, 800-822-6228 or, e-mail: pao@energy.state.ca.us

If you have a disability and need assistance to participate in the hearing(s), please contact Lourdes Quiroz at (916) 654-5146 at least five days prior to the hearing(s) you wish to attend.

Technical questions concerning the project may be addressed to Jack Caswell, the Commission Staff's Project Manager at (916) 653-0062 or email at: jcaswell@state.ca.us

Legal or procedural questions should be directed to Gary Fay, the Hearing Officer, at (916) 654-3893 or, email at: gfay@energy.state.ca.us

Media inquiries should be directed to Claudia Chandler, Assistant Executive Director for Media and Public Communications at (916) 654-4989 or, email at: energja@energy.ca.gov

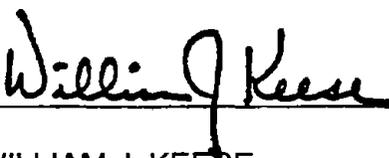
Information concerning the status of the project is available on the Energy Commission's Internet home page at: www.energy.ca.gov/sitingcases/russellcity

C. Schedule

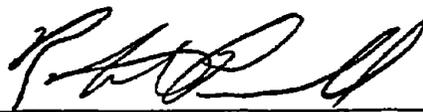
Staff files Final Staff Assessment	June 10, 2002
Applicant and other parties file testimony ¹	June 10, 2002
Evidentiary Hearings	June 20-21, 2002
Briefs due	July 10, 2002

By Order of the Committee

Dated May 22, 2002, at Sacramento, CA



WILLIAM J. KEESE
Chairman and Presiding Member
Russell City AFC Committee



ROBERT PERNELL
Commissioner and Associate Member
Russell City AFC Committee

Mailed to lists 7078, 7079, 7080 and Proof of Service List.

¹ Parties other than CEC staff and Applicant may determine to file testimony or not at their discretion.

**ATTACHMENT A
RUSSELL CITY ENERGY CENTER PROJECT (01-AFC-7)**

Project Description

Air Quality

Biological Resources

Cultural Resources

Hazardous Materials

Land Use

Noise and Vibration

Public Health

Socioeconomic Resources

Soil and Water Resources

Traffic and Transportation

Transmission Line Safety and Nuisance

Visual Resources

Waste Management

Worker Safety

Facility Design

Geology and Paleontology

Power Plant Efficiency

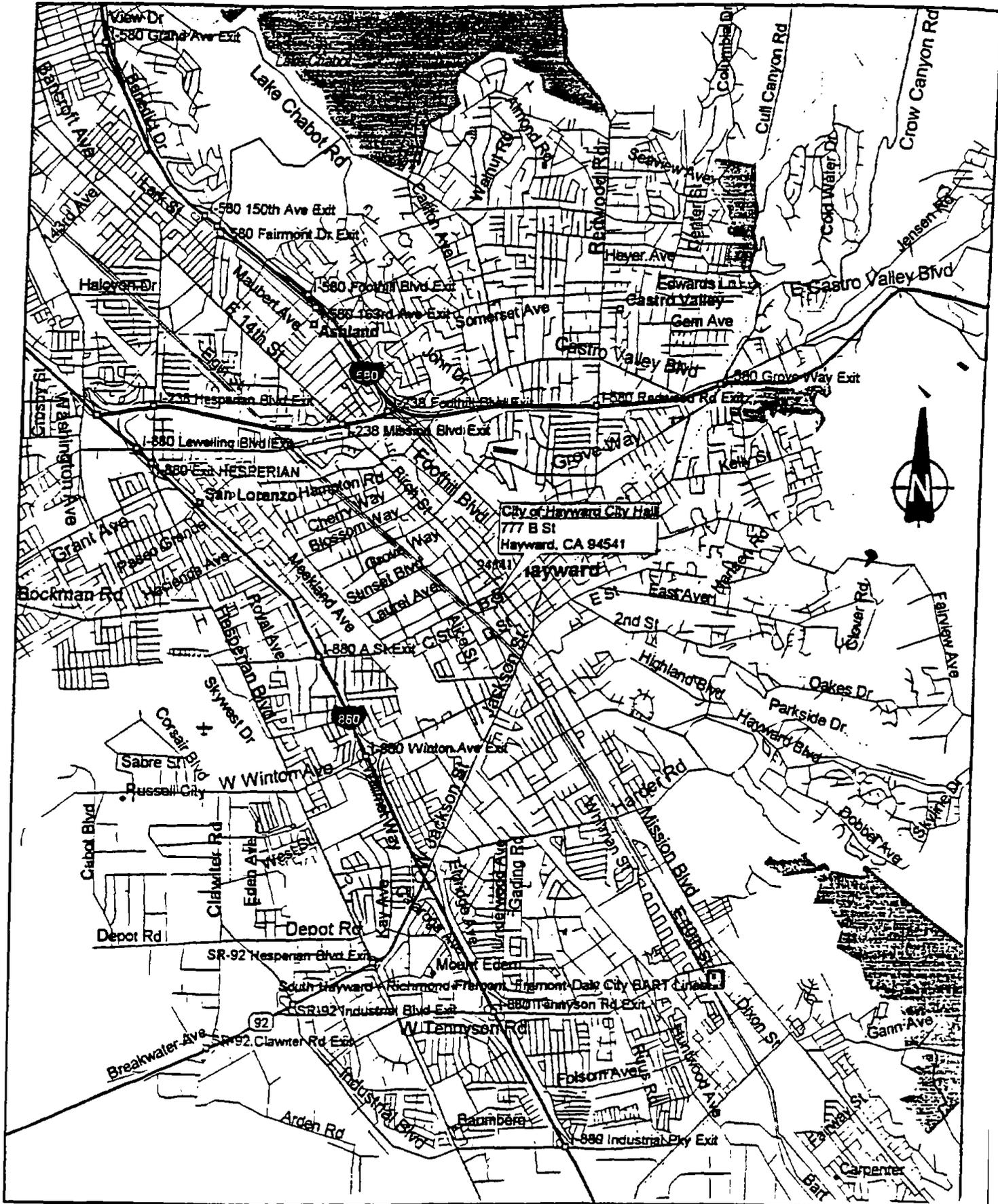
Power Plant Reliability

Transmission System Engineering

Alternatives

General Conditions

city of Hayward City Hall



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