BUSINESS MEETING

BEFORE THE

CALIFORNIA ENERGY RESOURCES CONSERVATION

AND DEVELOPMENT COMMISSION

In the Matter of:)
)
Business Meeting)
)
_____)

DOCKET
DATE JAN 16 2008
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CALIFORNIA ENERGY COMMISSION

HEARING ROOM A

1516 NINTH STREET

SACRAMENTO, CALIFORNIA

WEDNESDAY, JANUARY 16, 2008

10:00 A.M.

ORIGINAL

Reported by:
Ramona Cota
Contract Number: 150-07-001

COMMISSIONERS PRESENT

Jackalyne Pfannenstiel, Chairperson

Arthur Rosenfeld

John L. Geesman

Jeffrey D. Byron

STAFF and CONTRACTORS PRESENT

Melissa Jones, Executive Director

William Chamberlain, Chief Counsel

Michael Smith, Legislative Director

Harriet Kallemeyn, Secretariat

Garrett Shean

Ross Miller

Susan Gefter

Stan Valkosky

PUBLIC ADVISER

Nicholas Bartsch

ALSO PRESENT

Richard H. Weiss
Starwood Energy Group

Allan J. Thompson, Attorney
on behalf of Starwood Energy Group

Jane E. Luckhardt, Attorney
Downey Brand Attorneys LLP

Scott Galati, Attorney (via teleconference)
Galati & Blek, LLP

ALSO PRESENT

Manuel Alvarez
Southern California Edison Company

Jan Smutny-Jones
Independent Energy Producers Association

Kathy Treleven
Pacific Gas and Electric Company

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1 P R O C E E D I N G S

2 10:00 a.m.

3 CHAIRPERSON PFANNENSTIEL: Quiet group
4 this morning. Energy Commission biweekly meeting.
5 Please join me in the Pledge of Allegiance.
6 (Whereupon, the Pledge of Allegiance was
7 recited in unison.)
8 CHAIRPERSON PFANNENSTIEL: One change to
9 today's agenda. Item number 4 is taken off today,
10 and we will consider that at our next meeting,
11 January 30th.
12 Consent calendar. Is there a motion for
13 the consent calendar?
14 COMMISSIONER ROSENFELD: I move the
15 consent calendar.
16 COMMISSIONER GEESMAN: Second.
17 CHAIRPERSON PFANNENSTIEL: In favor?
18 (Ayes.)
19 CHAIRPERSON PFANNENSTIEL: Item 2,
20 possible adoption of the Presiding Member's
21 Proposed Decision and errata for the Starwood-
22 Midway Power Plant project. Mr. Shean.
23 MR. SHEAN: Good morning, Commissioners.
24 I'm Garret Shean, the Hearing Officer on the case.
25 And we have the Committee Members, Commissioner

1 Byron and Commissioner Geesman present today.
2 I'll just indicate that in early
3 December the Committee released its Presiding
4 Member's Proposed Decision. We conducted a public
5 hearing on it, and at that hearing took additional
6 evidence at the request of the applicant with
7 regard to its contract for water to serve the
8 project.
9 As a result of that the Committee made
10 changes to the decision. They are found in the
11 errata which I believe you already have; at least
12 I know it was distributed to your offices.
13 This is a nice little peaking project.
14 It's going to serve the PG&E service territory.
15 And as far as its water use, we have now
16 essentially have two alternative water sources.
17 The first being recovered agricultural water,
18 filter backwash water, which, by virtue of the
19 agreement that the applicant has with the provider
20 of the water, as well as the conditions it has
21 agreed to with the Commission, will be recovering
22 and providing more agricultural water for re-use
23 than it will consume, itself.
24 With that, the Committee felt that we
25 had a project we could recommend to the full

1 Commission for your approval. So, we will offer
2 you the Presiding Member's Proposed Decision and
3 the errata to the Presiding Member's Proposed
4 Decision.
5 CHAIRPERSON PFANNENSTIEL: Thank you,
6 Mr. Shean. Comments from the applicant?
7 MR. THOMPSON: This is Allan Thompson.
8 No real comments except that Mr. Weiss --
9 (Parties speaking simultaneously.)
10 MR. SHEAN: That's what they did to me,
11 correct.
12 MR. THOMPSON: Mr. Weiss would like to
13 offer some thanks after the vote.
14 CHAIRPERSON PFANNENSTIEL: Any comments
15 from the Commissioners?
16 COMMISSIONER BYRON: Well, I think I can
17 recommend this project to my Commission. It was
18 very well done by the staff, and Mr. Shean handled
19 it very well for us. And the applicant was very
20 responsive to all the issues that came up.
21 So I don't know what else to say except
22 I would recommend this one to my fellow
23 Commissioners for passage.
24 COMMISSIONER GEESMAN: I'll second that.
25 CHAIRPERSON PFANNENSTIEL: I guess that

1 was a motion --
2 COMMISSIONER BYRON: Yes.
3 CHAIRPERSON PFANNENSTIEL: -- and
4 second.
5 All in favor?
6 (Ayes.)
7 CHAIRPERSON PFANNENSTIEL: Approved.
8 Thank you.
9 MR. SHEAN: Thank you.
10 MR. WEISS: On behalf of the project we
11 certainly want to thank the staff for a lot of
12 work, a lot of interaction. This has been my
13 first experience in California going through this
14 process. It's a very rigorous process. All the
15 issues get addressed and we certainly appreciate
16 the Commission's attention and bearing with us as
17 we worked through it.
18 We're really happy with the project;
19 we're real happy with the outcome. And certainly
20 appreciate your efforts in meeting our time
21 constraints to get this thing built. So, thank
22 you very much.
23 COMMISSIONER GEESMAN: Now that you've
24 got some experience bring us some more.
25 (Laughter.)

1 MR. WEISS: We're working on it, we're
2 working on it. Absolutely.
3 MR. THOMPSON: You mean ones that will
4 likely get built.
5 (Laughter.)
6 CHAIRPERSON PFANNENSTIEL: Preferably.
7 MR. WEISS: Thank you, John.
8 MR. THOMPSON: Thank you.
9 MR. SHEAN: I have a signature page up
10 there at the dais. If we can get that done, I can
11 get this out the door. Thank you.
12 CHAIRPERSON PFANNENSTIEL: Right,
13 thanks.
14 Item 3, possible approval of contract
15 400-07-022 for $200,000 with Rand Corporation for
16 demonstrating computer-assisted techniques for
17 developing robust strategies. Good morning, Mr.
18 Miller.
19 MR. MILLER: Good morning. I'm Ross
20 Miller with the electricity supply analysis
21 division. And we're requesting approval of a sole
22 source contract using $200,000 of ERPA funds for a
23 strategic effort to improve Commission analytics
24 and processes for informing long-term
25 policymaking.

1 You read the intro in the agenda. I
2 don't have much else to say than this, other than
3 I just wanted to emphasize that this is -- it is a
4 quantitative exercise; and it's also really more
5 characterized as computer-assisted decisionmaking.
6 It's really focused on decisionmaking and the
7 problems of making decisions for long-term policy,
8 especially under uncertainty that's not well
9 characterized. Or sometimes referred to as deep
10 uncertainty.
11 We have briefed the Commissioners'
12 offices and we got approval from the Electricity
13 Committee. So if there's any other questions I'm
14 happy to answer them.
15 CHAIRPERSON PFANNENSTIEL: Further
16 questions?
17 COMMISSIONER GEESMAN: I would simply
18 say that this is part of the long tail of the
19 analytic capabilities improvement project last
20 year that the staff management initiated. And I
21 think that it will enhance our capabilities going
22 forward. So I would move approval.
23 COMMISSIONER BYRON: And I would also
24 like to add that having been briefed on this
25 subject we're very interested and excited about

1 the possibility of the outcome.
2 Of course, we want these results
3 yesterday. But we'll be patient, and we'll look
4 forward to what comes from this, Ross. Thank you.
5 MR. MILLER: Thank you.
6 COMMISSIONER BYRON: I'll second it.
7 CHAIRPERSON PFANNENSTIEL: All in favor?
8 (Ayes.)
9 CHAIRPERSON PFANNENSTIEL: It's
10 approved, thank you.
11 MR. MILLER: Thank you very much.
12 CHAIRPERSON PFANNENSTIEL: Let's move on
13 to the approval of the business meeting minutes
14 from January 2nd.
15 COMMISSIONER GEESMAN: Move approval.
16 COMMISSIONER ROSENFELD: Second.
17 CHAIRPERSON PFANNENSTIEL: In favor?
18 (Ayes.)
19 CHAIRPERSON PFANNENSTIEL: On the
20 Commission Committee presentations and
21 discussions, I think this might be the appropriate
22 time. We have some resolutions to offer into the
23 record. And I probably should have done this at
24 the beginning, but let's pick it up here.
25 We have several different resolutions,

1 three honoring people who are retiring. And then
2 one other. Oh, boy, I think Garret may have just
3 left with his order.
4 (Laughter.)
5 CHAIRPERSON PFANNENSTIEL: All right,
6 well, --
7 COMMISSIONER BYRON: Should have kept
8 the order.
9 CHAIRPERSON PFANNENSTIEL: I know. I
10 should have done this at the beginning.
11 All right, well, let me start. I'd like
12 to read a resolution honoring Susan Gefter.
13 Whereas more than two decades Susan
14 Gefter has served as a Hearing Advisor at the
15 California Energy Commission. And whereas during
16 her tenure Susan has presided over, conducted and
17 assisted in the adjudication of dozens of power
18 plant siting cases. And whereas Susan has served
19 ably as a staff attorney in the California Energy
20 Commission's Office of the Chief Counsel before
21 ascending to the role of Hearing Advisor.
22 And whereas her conduct at hearings
23 established an atmosphere which challenged parties
24 to achieve superior results. And failing that,
25 she would wag her finger at them. And whereas her

1 judicial demeanor and decision-writing style has
2 been summed up most concisely by the phrase,
3 picky, picky, picky.
4 (Laughter.)
5 CHAIRPERSON PFANNENSTIEL: Therefore, be
6 it resolved that the California Energy Commission
7 acknowledges and thanks Susan Gefter for her many
8 years of exemplary service with the California
9 Energy Commission and to the people of California.
10 And therefore be it further resolved
11 that the California Energy Commission
12 congratulates Susan on her retirement and wishes
13 her good health and good travels. Dated today,
14 January 16, 2008. Susan.
15 (Applause.)
16 MS. GEFTER: Do I need to come up and --
17 CHAIRPERSON PFANNENSTIEL: Come on up
18 and give us --
19 (Parties speaking simultaneously.)
20 CHAIRPERSON PFANNENSTIEL: And then if
21 you have some words we'd be delighted.
22 (Pause.)
23 CHAIRPERSON PFANNENSTIEL: Thank you.
24 MS. GEFTER: All right. Okay. Well,
25 first of all, thank you very much. I know each of

1 you, have worked with each of you on siting cases
2 over the years. And it's been quite a ride as we
3 all know.
4 And I appreciate my coworkers for
5 summing up my work in that resolution. I noticed
6 their little handiwork in there.
7 I know that Commissioner Geesman is also
8 on the road to retirement, so we know we have a
9 whole new world to look forward to.
10 Thank you very much.
11 CHAIRPERSON PFANNENSTIEL: Thank you,
12 Susan.
13 (Applause.)
14 CHAIRPERSON PFANNENSTIEL: Commissioner
15 Byron.
16 COMMISSIONER BYRON: Yes, I have a
17 resolution to read here, as well, for Mr. Garret
18 Shean.
19 Whereas Garret Shean has served the
20 California Energy Commission and the people of
21 California for more than 31 years as a Hearing
22 Advisor; and whereas Garret personally authored
23 the well-remembered and often-cited decision
24 approving PG&E's geothermal power plant known as
25 Geysers 16, or among the cognoscente as the big

one.

And whereas in all cases Garret has been distinguished by his judicial activism, exemplified by, but not limited to, redesigning the applicant's power plant and cooling tower layout, redesigning a project's landscaping and massive retaining walls, requiring an applicant to install a lengthy fence to influence the walking habits of the desert tortoise, and articulating detailed instructions on the design for school bus stops hear a project.

(Laughter.)

COMMISSIONER BYRON: And whereas notwithstanding the creative genius demonstrated by his numerous changes to Energy Commission Staff power plants proposals, the aforementioned staff has managed to contain its unlimited enthusiasm for Garret's improvements in their work product.

(Laughter.)

COMMISSIONER BYRON: And whereas Garret has been an exemplary practitioner of energy conservation as demonstrated by his afternoon power naps --

(Laughter.)

COMMISSIONER BYRON: -- and as a leader

1 in the movement to recycle plastic, as evidenced
2 by the mountain of empty Lipton Diet Green Tea
3 containers piled ceiling high in his office, --
4 (Laughter.)
5 COMMISSIONER BYRON: -- and whereas
6 Garret has managed to achieve a fine balance
7 between the judicial demeanor of Judge Wapner and
8 that of Ralph Kramden --
9 (Laughter.)
10 COMMISSIONER BYRON: -- as evidenced by
11 his perfection of the adjudicatory harrumph. And
12 whereas his continuous use of the adjudicatory
13 harrumph has caused him to suffer from the
14 nefarious malady known as hot throat.
15 (Laughter.)
16 COMMISSIONER BYRON: And may only be
17 cured by a prolonged sojourn in the Umbrian region
18 of Italy.
19 Therefore, be it resolved that the
20 California Energy Commission acknowledges and
21 thanks Garret Shean for his more than 31 years of
22 exemplary contributions to California's power
23 plant siting program, and wishes him good health,
24 good travels and la dolce far niente.
25 (Laughter.)

1 (Applause.)
2 COMMISSIONER BYRON: And I had the
3 pleasure of working with Garret on his last
4 project here.
5 MR. SHEAN: Thanks, Jeff; that's great.
6 COMMISSIONER GEESMAN: Well done,
7 Garret, thank you.
8 (Pause.)
9 CHAIRPERSON PFANNENSTIEL: Thirty-one
10 years, a picture.
11 MR. SHEAN: Gosh, I don't look a year
12 older.
13 (Laughter.)
14 COMMISSIONER GEESMAN: Didn't mention
15 those runways that you redesigned in Blythe.
16 MR. SHEAN: No, I know.
17 (Laughter.)
18 MR. SHEAN: I truly think I got off
19 easy. My fellow employees and the scrivener of
20 this resolution, got it right, for the most part.
21 And, as I say, if anything there's probably more
22 stories to tell. And I think if we had a party
23 with sufficient lubrication we could get all those
24 tales out.
25 But I guess I want to say first of all,

1 my inspiration to become a lawyer, and then become
2 an administrative judge -- and I guess most of you
3 already know that for about the last 26 years I've
4 served as a judge pro tem in the Sacramento
5 Superior Court -- I think came from my early days
6 in the '60s watching "To Kill A Mockingbird." It
7 seemed to me that that instilled in me all the
8 best there is about the law, and the people who
9 serve the law.
10 And I have tried, and I will say,
11 actively to do the same in the pursuit of this
12 particular position. I always felt that doing
13 what was right was better than doing what was
14 technically legal if the two began to conflict.
15 So I have, I guess, in doing that,
16 provided my colleagues and my Commissioners, at
17 times, the unmanageable employee, but so be it.
18 Anyway, --
19 COMMISSIONER GEESMAN: And the courts
20 have never reversed you.
21 (Laughter.)
22 MR. SHEAN: I would like to thank the
23 Commissioners who are here today, and many of
24 those who have shared those chairs with you in the
25 past for always coming to every case that I have

1 dealt with with integrity instead of politics and
2 an agenda. And I think you deserve the credit for
3 that; the Commission deserves the credit for that
4 beginning in the very early years of the '70s.
5 So, thank you, I appreciate it.
6 (Applause.)
7 CHAIRPERSON PFANNENSTIEL: And Executive
8 Director Jones has a resolution to read.
9 EXECUTIVE DIRECTOR JONES: Good morning.
10 This is a resolution for Stan Valkosky.
11 Whereas the Chief Hearing Advisor at the
12 California Energy Commission, Stan Valkosky, has
13 personally conducted or supervised the
14 adjudication of over 100 power plant siting cases.
15 And whereas Stan, through his education,
16 experience and personal integrity, has excelled as
17 mentor, teacher and judicial sage to other Hearing
18 Advisors.
19 And whereas his judicial demeanor has
20 established a calming, welcoming atmosphere at the
21 hearings he has conducted as evidenced by the
22 relatively few times that our police or SWAT teams
23 were required at the hearings --
24 (Laughter.)
25 EXECUTIVE DIRECTOR JONES: And whereas

1 during his tenure at the California Energy
2 Commission Stan has been known by numerous
3 appellations including, but not limited to, Chief
4 Hearing Officer, Fuels Allocation Reserve Officer
5 or FARO, Grizpah and more commonly, Yo, Stan.
6 And whereas Stan has managed to eschew
7 the lemming-like rush to adopt new transitory and
8 untested technologies, preferring to do his word
9 processing on a yellow legal pad with a number 2
10 pencil.
11 And whereas Stan has applied his
12 creative genius to the betterment of mankind
13 through his ideas for granite gasification, the
14 evidenciometer, and the Republic of Stanistan.
15 And whereas Stan has selflessly spent
16 his own time and money conducting wetland water
17 fowl inventories, coincidentally occurring during
18 the duck hunting season.
19 Therefore, be it resolved that the
20 California Energy Commission acknowledges and
21 thanks Stan Valkosky for his 30 years of exemplary
22 contributions to California's power plant siting
23 program and wishes him good health, good travels
24 and good hunting.
25 (Applause.)

1 MR. VALKOSKY: The last 30 years have
2 been a very interesting ride. I started here
3 right after the Sun Desert project. I'm sure
4 Commissioner Geesman remembers that one.
5 As I leave here I understand from one of
6 the contracts you issued today we're going to a
7 computer-assisted decisionmaking system. I'm
8 frankly still of the era of a dartboard
9 decisionmaking system. It served us pretty well,
10 I think.
11 (Laughter.)
12 MR. VALKOSKY: I enjoy it. I enjoy the
13 personal input I get. But what I really enjoyed,
14 aside from working with a variety of Commissioners
15 over the years, is the fact we've gotten to
16 develop a process that actually works.
17 And back in the early years, the mid
18 '70s, it was something that has taken a lot of
19 development from a lot of people. And, frankly,
20 we made it up as we went along. And it's very
21 nice to see that by and large it works. I'm very
22 proud of that.
23 I'm very thankful to have worked with
24 the Commissioners, certainly with my colleagues.
25 And thank you; I'll see you around.

1 (Applause.)
2 CHAIRPERSON PFANNENSTIEL: And changing
3 subjects, another resolution. Commissioner
4 Geesman.
5 COMMISSIONER GEESMAN: My resolution is
6 a little more institutional in nature. It's for
7 the Santa Clara University team.
8 Whereas the U.S. Department of Energy's
9 solar decathlon 2007, held in Washington, D.C. on
10 October 12 through 20, 2007, tested student teams
11 in ten categories and challenged them to design,
12 build and operate a livable and energy efficient
13 solar powered home.
14 And whereas the Santa Clara University
15 team represented California and brilliantly
16 competed against 20 universities from the United
17 States, Canada and Europe. And whereas the Santa
18 Clara University team was one of five teams to
19 score a perfect 100 in the hot water category, and
20 one of seven teams to score a perfect 100 in the
21 energy balance category, and placed third in the
22 overall competition, scoring 979 points out of a
23 possible 1100 points.
24 And whereas even with the odds stacked
25 against them with no architecture department at

1 the university, and the three-day delay when the
2 truck transporting the 700 square foot house
3 across the country broke two axles in Nebraska,
4 the team never gave up.
5 And whereas the Santa Clara University
6 team built an amazing sustainable solar house that
7 was functional, elegant and innovative, therefore
8 be it resolved that the California Energy
9 Commission commends the outstanding efforts and
10 continued accomplishments of the Santa Clara
11 University team, and recognizes their enthusiasm,
12 energy and expertise in meeting their goal to
13 publicly demonstrate and share their knowledge of
14 sustainable building design and commitment to
15 insuring California's energy future.
16 (Applause.)
17 CHAIRPERSON PFANNENSTIEL: Thank you.
18 Signed by all Commissioners.
19 Continuing on, Chief Counsel report.
20 MR. CHAMBERLAIN: Thank you, Madam
21 Chair. I have a need to meet with the Commission
22 in closed session on two litigation items. That's
23 all I have today.
24 CHAIRPERSON PFANNENSTIEL: Two
25 litigations, okay.

1 Executive Director report.
2 EXECUTIVE DIRECTOR JONES: I have
3 nothing to report this morning.
4 CHAIRPERSON PFANNENSTIEL: Leg report.
5 LEGISLATIVE DIRECTOR SMITH: Just a
6 couple of quick items. I do want to report that
7 AB-1327 and AB-942, both of which amend our
8 Commission's ECCAA program, the Energy Commission
9 Conservation Assistance Account, passed out of the
10 Assembly utilities and commerce earlier this week
11 without any amendments.
12 We are continuing to work with the
13 author -- the authors and their staff on the
14 language in the bill, and any issues that we have.
15 I also want to mention that we briefed
16 legislative staffers yesterday on the AB-1007
17 report, which went very well. There were a number
18 of questions and I think it was a good exchange.
19 I think it's a pretty sound basis for further
20 dialogue on that issue, not necessarily the
21 report, but alternative fuels in California; and
22 on the implementation of AB-118. So I think it
23 was a very positive first step in that regard.
24 And then lastly I just want to remind
25 the Commissioners of the January 22nd hearing

1 before the Assembly utilities and commerce on the
2 summer of 2008, and in particular the relationship
3 of that to the DWR contracts.
4 We've been asked to provide our supply
5 and demand forecast for the summer. And I
6 understand the presentation's in development.
7 So, if there's any questions, that's all
8 I have.
9 CHAIRPERSON PFANNENSTIEL: Thanks, Mike.
10 Public Adviser.
11 MR. BARTSCH: Madam Chair, Members, Nick
12 Bartsch, Public Adviser's Office. Nothing new to
13 report. I still don't have a new Public Adviser
14 to introduce to you. Thank you.
15 CHAIRPERSON PFANNENSTIEL: Thanks, Mike.
16 Public comment. We actually have a few public
17 comments this morning. I'd like to start with
18 June Luckhardt -- I'm sorry, Jane Luckhardt.
19 MS. LUCKHARDT: That's all right. I've
20 actually had that comment quite often. If I had
21 starred on Lassie and Lost in Space, I would
22 probably be not here today, appearing in front of
23 you. But I did not, so I have to provide another
24 way of working for a living.
25 COMMISSIONER GEESMAN: We've never have

1 thought of any of your clients as dogs, either.
2 (Laughter.)
3 MS. LUCKHARDT: Well, I appreciate that.
4 Although sometimes they may have acted such.
5 You know, it was just on Monday when we
6 had an evidentiary hearing in Commissioner
7 Geesman's former case, the Eastshore proceeding.
8 And Commissioner Byron fortunately is still
9 hanging in there on this proceeding.
10 But there was a public comment, an
11 individual and public comment, who said, you know,
12 he referred to the ghost of Commissioner Geesman.
13 And, you know, I was sitting there
14 quietly, and I take notes, I keep track of what
15 folks' comments are. And I was thinking to
16 myself, well, no actually not only is he very much
17 alive, but he also has never, and probably will
18 never, be silenced. And so referring to the ghost
19 of Commissioner Geesman just seemed so out of
20 place to me.
21 And I was also reminded of a part in the
22 latest Pirates of the Caribbean movie where
23 there's this point where Johnny Depp, who's
24 Captain Jack Sparrow, and he's about to sail off
25 on his ship, the Black Pearl, and the British ship

1 is next door.
2 And he'd just been on the British ship.
3 And the British officer says to the captain, well,
4 what are we going to do now. And he said, we're
5 going to follow the Black Pearl.
6 And then all of a sudden the main mast
7 on the sailing ship comes crashing down. So
8 obviously they can't follow the Black Pearl. And
9 the junior officer looks up at the captain, and he
10 says, do you think that he plans all this out, or
11 does he make it up as he goes.
12 And that actually kind of reminds me of
13 some of the remarks that I've received from
14 Commissioner Geesman --
15 (Laughter.)
16 MS. LUCKHARDT: -- over the years.
17 Because, you know, as an advocate for an applicant
18 or for SMUD on the 1368 proceedings, you're
19 wondering if you're getting through. You're
20 wondering if the point that you're making is being
21 heard, and if you're saying it in the right way or
22 whether you should be presenting it one way or
23 another.
24 And then all of a sudden out of the blue
25 will come a remark, either a question or a

1 comment, from Commissioner Geesman that lets you
2 know not only has he heard everything you've said,
3 but he's read everything, and he's thought about
4 it. And he's looking at every weak point you may
5 have forgotten and pointing that out to you. And
6 so that you can be sure that you have given him
7 your response.
8 And, you know, as a representative for
9 an applicant, I always appreciated that because it
10 told me that you were paying attention, that you
11 did read our stuff. And even though I may not
12 have always agreed with the position that you
13 took, we knew exactly where you stood and why.
14 And that was very helpful for applicants to know
15 that. And to have that information.
16 And so this is just my opportunity to
17 say thank you for spending the time and effort
18 that you did when you looked at our proceedings.
19 Thank you for reading our filings whether they
20 were well written or not. And listening to our
21 arguments, whether you agreed with them or not.
22 And I would also like to give special
23 thanks and recognition for your work on the 1368
24 proceedings. And you and Commissioner Byron
25 especially in pushing up changes from this

1 Commission up in through the Public Utilities
2 Commission and making changes in their decision,
3 which was something at the beginning of that
4 process we did not truly believe was possible.
5 So we really appreciate that. And
6 appreciate your time and effort on this
7 Commission. Thank you.
8 COMMISSIONER GEESMAN: Well, thank you.
9 And I would also point out that the contribution
10 that you've made to the proceedings that I've been
11 involved in, the dignity that you've brought to
12 some fairly difficult debates has helped our
13 decisionmaking a lot.
14 And I think you've conveyed a pretty
15 clear signal to others in the advocacy community
16 as to how to be effective in front of an agency
17 like this one.
18 It's certainly been a pleasure to be
19 your friend of all of the years that we have been.
20 CHAIRPERSON PFANNENSTIEL: Thank you,
21 Jane.
22 Jan Smutny-Jones.
23 MR. SMUTNY-JONES: Thank you very much.
24 Jan Smutny-Jones from the Independent Energy
25 Producers. I guess last week, I missed the event,

1 but the Power Association of Northern California
2 honored Commissioner Geesman as their Person of
3 the Year.
4 I'd note that last December Time
5 magazine honored Vladimir Putin with Person of the
6 Year, so lord knows what we have in store for
7 February.
8 (Laughter.)
9 MR. SMUTNY-JONES: But, Commissioner
10 Geesman, you've been at this now for about 30
11 years; and you've been always a clear voice for
12 California's alternative energy future. I use
13 that in the most generic sense of that word.
14 Whether the topic's been some of the
15 early forays that California had many years ago on
16 LNG; we heard about Sun Desert previously; and
17 some of your early early work in terms of
18 advocating for some of the early solar work, first
19 in your very early capacity as a Commissioner
20 Advisor, then later as Executive Director, and
21 finally in your current position.
22 So, you've been at this for a long time.
23 We've made a great deal of progress in this state,
24 I think, as a result of your efforts and the
25 efforts of many others, as well. But you've

1 always kept your eye on the ball, which I think is
2 also critical. Because you have been very good in
3 your very subtle underspoken way --
4 (Laughter.)
5 MR. SMUTNY-JONES: -- about critiquing
6 our progress or lack thereof in a variety of
7 areas, most notably the renewable portfolio
8 standard. And making it clear that paper, rather
9 than steel, is not acceptable. And being very
10 forceful in those comments.
11 And I think that those comments have
12 been helpful in keeping people focused. I think
13 those voices from time to time, you may not think
14 so, but are being heard.
15 You've made the joint energy agency
16 meetings interesting.
17 (Laughter.)
18 MR. SMUTNY-JONES: They wouldn't be such
19 if you weren't there. And I think you've made a
20 major contribution in terms of trying to make
21 California's energy future move to a more
22 sustainable renewable future.
23 You've obviously been a firm advocate of
24 energy efficiency, and the other loading order
25 resources, as well. So, we're confident we have

1 not heard the last of you. I guess you may be the
2 ghost of the energy future, for lack of a better
3 description.
4 But, frankly, noting the lack of
5 flowers, this really wasn't meant to be a eulogy,
6 but --
7 (Laughter.)
8 MR. SMUTNY-JONES: -- rather a heartfelt
9 thanks from myself, personally, and from my
10 industry for your major contributions to the state
11 in your capacity as Commissioner. And we look
12 forward to working with you in the future. Thank
13 you.
14 COMMISSIONER GEESMAN: Thank you,
15 Smutny. You and I share an unusual parentage in
16 this line of work. We're both former employees of
17 Ron Doctor. And I've certainly considered it a
18 pleasure over the ensuing 30 years to have had the
19 opportunity to work and interact with you in a
20 variety of different roles.
21 If I ever come back to state government,
22 I would certainly look to you to provide the
23 service to me that you have twice before. Once in
24 the 1970s in discovering the 524 Club, our
25 favorite Mexican restaurant dive. And then more

1 recently, introducing me to Vallejo's, which has
2 served as our modern Mexican dive.
3 I hope that you can continue to make
4 that kind of contribution to my life and digestive
5 future. Thanks.
6 (Laughter.)
7 CHAIRPERSON PFANNENSTIEL: Thanks, Jan.
8 We also have on the phone Scott Galati.
9 MR. GALATI: Hi, Commissioner Geesman.
10 I'm sorry I couldn't be there in person. I'm not
11 that humble in an ordinary staff assessment
12 workshop, but I wanted to take a few minutes to
13 also convey my concern and solace that you'll be
14 leaving. I think that California would be better
15 with another five more years of your leadership.
16 With respect to our interaction, which
17 has been mostly in the siting world, I think one
18 of the things that I think has certainly
19 distinguished our relationship is you have
20 certainly provided applicants what they most
21 desperately seek, which is certainty. There's
22 nothing more fearful for an applicant in front of
23 an agency asking for a permit, but not knowing
24 both the timing or what will be the results of
25 that.

1 I think that your work through the
2 siting regulation guidelines, certainly your
3 direction, primarily at prehearing conferences, of
4 where you want the parties to get together and
5 resolve disputes, that certainly provided us some
6 predictability and certainty. And that, I think,
7 has been one of your greatest contributions that's
8 probably (inaudible) so.
9 But I think the thing I'm going to miss
10 the most is probably just recently that I have
11 discovered that the sometimes out-of-the-blue
12 remarks that my colleague, Jane, described
13 earlier. I just found the cues of when they're
14 about to come from you, as I see your brow start
15 to furrow and your head tilt slightly to the left,
16 and your eyes --
17 (Laughter.)
18 MR. GALATI: -- cast downward at the
19 dais, and your right hand imperceptibly comes up
20 to the microphone, grabbed between your forefinger
21 and thumb, --
22 (Laughter.)
23 MR. GALATI: -- and start to pull that
24 to you, I appreciate knowing that so that I can
25 brace myself --

1 (Laughter.)
2 MR. GALATI: -- for the question that's
3 about to come. But I am going to miss that. It's
4 taken me a long time to be able to get that cue,
5 so I am going to miss that.
6 But again, I'm going to miss you. I
7 think that you've done a great job. I have
8 certainly appreciated is and found it a privilege
9 to bring cases before you.
10 COMMISSIONER GEESMAN: Well, it's always
11 a pleasure, Scott, to hear from you. I have to
12 say I'm not surprised that you're not physically
13 here, because I've never been convinced that
14 there's a single Scott Galati. You seem to show
15 up in almost all of our cases that Jane is not
16 involved in. And as a consequence I've always
17 presumed that you're some kind of franchise --
18 (Laughter.)
19 COMMISSIONER GEESMAN: -- that different
20 people are able to rent an avatar and use your
21 good name to appear in our cases.
22 You've really helped us to, I think,
23 streamline the cases that I've been engaged with.
24 And I think that much of the progress that Mr.
25 Valkosky mentioned in terms of making our projects

1 or our cases more workable has been, in one way or
2 another, attributable to the contribution that
3 you've made.
4 And I've certainly enjoyed our
5 association. And hope to cross paths with you
6 again in the future.
7 CHAIRPERSON PFANNENSTIEL: thanks,
8 Scott, for participating.
9 Other public comment?
10 Mr. Alvarez.
11 MR. ALVAREZ: Had I known I would have
12 prepared something, but now that I've heard all
13 the -- perhaps this is your last meeting that we
14 weren't sure about or --
15 COMMISSIONER GEESMAN: One never knows.
16 MR. ALVAREZ: One never knows. Anyway,
17 Manuel Alvarez, Southern California Edison, and
18 21-year veteran of the Energy Commission. I'd
19 actually like to thank John. When he first got
20 appointed I'd find him at that time in his office.
21 He was the Executive Director at the
22 time when he selected a few staff members to serve
23 in a program executive assignment with the
24 Resources Agency. And I think there's still two
25 of us here. And Melissa Jones, your Executive

1 Director, was also on that task.
2 So, I'd personally like to thank him
3 because at one point in my career he took a hand,
4 actually gave me an opportunity. And whether it's
5 beneficial or not, I'll let others judge that, but
6 I found it beneficial and enjoyed it. And have
7 always thanked that.
8 In my capacity representing Edison I've
9 dealt with John on a number of issues; I've dealt
10 with banana forecasts, prodding, two-by-fours to
11 get movement, but, in fact, it's worked. There
12 has been some movement on a lot of issues, and I
13 thank you for that, John. At least in my own
14 personal capacity it helps me when people raise
15 issues directly and bluntly, and it makes things
16 move forward.
17 So, I'd like to thank you. Your tenure
18 here was outstanding. I found it rewarding and
19 always found it a challenge to come before you.
20 Thank you.
21 COMMISSIONER GEESMAN: Manuel, you've
22 been a joy to work with. You represent my
23 favorite company among all the regulatees --
24 (Laughter.)
25 COMMISSIONER GEESMAN: -- and I will

1 confess, that on occasion I've taken advantage of
2 your captive role and kicked you around a bit, as
3 an opportunity to kick your company around a bit.
4 But I think you have graciously been
5 willing to play that role, done an outstanding job
6 for your client, and certainly brightened our
7 process every time that we're forcing you to come
8 up to the mike to say something.
9 MR. ALVAREZ: Thank you.
10 COMMISSIONER GEESMAN: Your company's
11 lucky to have you.
12 CHAIRPERSON PFANNENSTIEL: Further
13 public comment? This may or may not be
14 Commissioner Geesman's last meeting.
15 COMMISSIONER GEESMAN: I'm feeling
16 strong enough to make it another two weeks.
17 (Laughter.)
18 COMMISSIONER GEESMAN: It's out of my
19 hands.
20 CHAIRPERSON PFANNENSTIEL: And PG&E.
21 MS. TRELEVEN: Hi, I'm Kathy Treleven
22 from PG&E. And I, too, not being sure if this is
23 your last meeting, have no prepared remarks. But
24 I just couldn't resist a thank-you. As one of the
25 kind of shy people who works in the background at

1 PG&E to figure out and get us prepared for various
2 proceedings, I sometimes am afraid to ask some of
3 my compatriots the hard question. But I simply
4 say, this is what Commissioner Geesman may ask
5 you.
6 (Laughter.)
7 MS. TRELEVEN: And then it's easy. I
8 wanted to thank you in particular for pushing us a
9 bit on the renewables questions and on the DG
10 questions. And if you aren't here for the next
11 five years I think at least some of the questions
12 that you've asked, some of the prodding you've
13 done will come to fruition over that time.
14 Thank you.
15 COMMISSIONER GEESMAN: You're probably
16 the most strategically astute utility
17 representative that appears before us because you
18 almost consistently stay out of the line of fire.
19 (Laughter.)
20 COMMISSIONER GEESMAN: You're well known
21 among us as having a very significant influence
22 within PG&E, and god knows they need it. Thank
23 you for your years of association.
24 CHAIRPERSON PFANNENSTIEL: Anything
25 further?

We'll be adjourned.

(Whereupon, at 10:42 a.m., the business meeting was adjourned.)

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CERTIFICATE OF REPORTER

I, RAMONA COTA, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Business Meeting, that it was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said meeting, nor in any way interested in outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of January, 2008.

Ramona Cota

RAMONA COTA