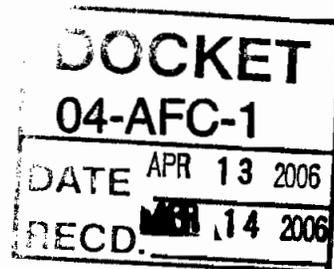


STATE OF CALIFORNIA

Energy Resources Conservation and Development Commission



In the Matter of:            )  
  )  
Application for Certification )  
For the San Francisco        )  
Electric Reliability Project )

Docket No. 04-AFC-01

MOTION FOR AN EXTENSION OF TIME AND CHANGE OF SCHEDULE OF THE CITY AND COUNTY OF SAN FRANCISCO

In accordance with rule 1716.5 of the California Energy Commission's Rules of Practice and Procedure, the City and County of San Francisco (CCSF or City) respectfully files this motion for an extension of time to file testimony on one topic, and for a change in the hearing date for one topic. In particular, the City requests an additional two weeks to address the matter discussed in Staff's Supplemental Testimony filed on April 10, 2006, namely the existing contamination on the proposed site. In addition, due to recent changes in the schedule of the City's witness on traffic and transportation, the City requests that this topic be heard on May 1 rather than April 27.

At the prehearing conference, the City indicated that the one potential issue that remained outstanding with staff relates to addressing the existing contamination on the proposed site for the San Francisco Electric Reliability Project (SFERP). Two business days prior to the prehearing conference, the City filed and served a draft field investigation summary report which contained information that had been requested by staff to complete its review of this matter. At the prehearing conference, the City expressed optimism that, with the submission of this information, the issue could be resolved satisfactorily between the City and staff, and

consequently pressed for a prompt date for the filing of testimony. Based on the discussion at the prehearing conference, a notice of evidentiary hearings was issued on April 10, 2006 (Notice). The Notice required that 1) staff file any supplemental testimony on April 10, 2006; and 2) the City and intervenors to file their testimony on April 17, 2006. The Notice sets evidentiary hearings on Soil and Water Resources, and on Waste Management for May 1, 2006.

Consistent with the Notice, staff filed testimony on April 10, 2006 that supplemented its testimony on the existing contamination on the site in the Final Staff Assessment (FSA). The existing contamination is discussed in two topic areas in the FSA, Soil and Water Resources and Waste Management, and is addressed by the following proposed conditions of certification, WASTE-6, WASTE-7, SOIL & WATER-6 and SOIL & WATER-7. As the City understands staff's supplemental testimony, because the City has already undertaken the assessment required by the FSA WASTE-6, the staff is withdrawing the FSA WASTE 6 and replacing FSA WASTE-7 with a new WASTE-6. In addition, staff is proposing a new SOIL & WATER 13.

The City now requests an additional two weeks until May 1, 2006, to submit testimony on the limited subject area covered by staff's supplemental testimony, the existing contamination on the site. The topic has turned out to be more difficult to describe clearly and resolve to everyone's satisfaction. The City requires an additional two weeks to prepare testimony in order to be able to fully understand, absorb and respond to staff's testimony based as it is on the recently developed additional information on the site.<sup>1</sup>

Consistent with the Notice, the City is prepared to submit its testimony on all other topics on April 17, 2006, including all aspects of Soil and Water Resources and Waste Management other than the existing contamination on the site. In fact, the City considers that it is important to

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<sup>1</sup> The City very much appreciates staff's efforts to evaluate and prepare testimony very promptly using the recently submitted information.

maintain the current schedule on all other topics to minimize any delays in the conclusion of the evidentiary hearings. Moreover, the City would be prepared to go forward with evidentiary hearing on Soil and Water Resources, and Waste Management as to all aspects other than the existing contamination on the site, on the date currently scheduled for evidentiary hearing on these topics, May 1. The City notes that both these topics cover a wide range of matters that are unrelated to the existing contamination on the site and that are ready for adjudication.

Evidentiary hearings on the existing contamination could then proceed on May 22 or May 31.

In addition, the City learned recently that its witness for traffic and transportation has a conflict on the date set for evidentiary hearings on this topic, April 27, 2006. Accordingly, the City respectfully requests that the topic be shifted to May 1, 2006. The topic was towards the bottom of the list of topics to be addressed on April 27, 2006 in any event; thus, the potential already existed that it would be heard on May 1, 2006. Accordingly, the City is hopeful that this change will be acceptable to other parties.

In sum, the City respectfully requests an additional two weeks until May 1, 2006, to file testimony on the topic of existing contamination on the proposed site. The City requests that the schedule be maintained for all other topics, including unrelated aspects of Soil and Water Resources, and Waste Management. In addition, the City respectfully requests that traffic and transportation be heard on May 1, 2006 rather than April 27, 2006 as initially scheduled.

Dated: April 13, 2006

Respectfully submitted:

DENNIS J. HERRERA  
CITY ATTORNEY  
THERESA L. MUELLER  
JACQUELINE MINOR  
JEANNE M. SOLÉ  
DEPUTY CITY ATTORNEYS

Attorneys for City and County of San Francisco

By: \_\_\_\_\_  
Jeanne M. Solé  
Deputy City Attorney  
Office of the City Attorney  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
(415) 554-4619 (Telephone)  
(415) 554-4763 (facsimile)  
jeanne.sole@sfgov.org

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE  
STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION  
FOR THE SAN FRANCISCO ELECTRIC  
RELIABILITY PROJECT

Docket No. 04-AFC-01  
PROOF OF SERVICE  
*\*Revised 2/17/06*

**DOCKET UNIT**

*Instructions: Send an original signed document plus 12 copies or an electronic copy plus one original paper copy to the address below:*

**CALIFORNIA ENERGY COMMISSION**  
**Attn: Docket No. 04-AFC-01**  
**DOCKET UNIT, MS-4**  
**1516 Ninth Street**  
**Sacramento, CA 95814-5512**

*Also send a printed or electronic copy of all documents to each of the following:*

**APPLICANT**

Barbara Hale, Power Policy Manager  
San Francisco Public Utilities  
Commission  
1155 Market Street, 4<sup>th</sup> Floor  
San Francisco, CA 94102  
**BHale@sfgwater.org**

Applicant Project Manager  
Karen Kubick  
SF Public Utilities Commission  
1155 Market St., 8th Floor  
San Francisco, CA 94103  
**kkubick@sfgwater.org**

**APPLICANT'S CONSULTANTS**

Steve De Young  
De Young Environmental Consulting  
4155 Arbolado Drive  
Walnut Creek, CA 94598  
**steve4155@astound.net**

John Carrier  
CH2MHill  
2485 Natomas Park Drive, Suite 600  
Sacramento, CA 95833-2943  
**jcarrier@ch2m.com**

**COUNSEL FOR APPLICANT**

Jeanne Sole  
San Francisco City Attorney  
City Hall, Room 234  
1 Dr. Carlton B. Goodlet Place  
San Francisco, CA 94102-4682  
**Jeanne.sole@sfgov.org**

**INTERESTED AGENCIES**

Emilio Varanini III  
Special Counsel  
California Power Authority  
717 K Street, Suite 217  
Sacramento, CA 95814  
**drp.gene@spcglobal.net**

Electricity Oversight Board  
770 L Street, Suite 1250  
Sacramento, CA 95814

Donna Jordan  
CA Independent System Operator  
151 Blue Ravine Road  
Folsom, CA 95630  
[djordan@caiso.com](mailto:djordan@caiso.com)

Dept. of Water Resources  
SERS  
Dave Alexander  
3301 El Camino Avenue, Ste. 120  
Sacramento, CA 95821-9001

### **INTERVENORS**

**\* Jeffrey S. Russell**  
**VP West Region Operations**  
**Mirant California, LLC**  
**P.O. Box 192**  
**Pittsburg, California 94565**  
**[Jeffrey.russell@mirant.com](mailto:Jeffrey.russell@mirant.com)**

**\* Mark Osterholt**  
**Mirant California, LLC**  
**P.O. Box 192**  
**Pittsburg, California 94565**  
**[mark.osterholt@mirant.com](mailto:mark.osterholt@mirant.com)**

Michael J. Carroll  
Latham & Watkins LLP  
650 Town Center Drive, Suite 2000  
Costa Mesa, CA 92626  
[michael.carroll@lw.com](mailto:michael.carroll@lw.com)

Potrero Boosters Neighborhood  
Association  
Dogpatch Neighborhood Association  
Joseph Boss  
934 Minnesota Street  
San Francisco, CA 94107  
[joeboss@joeboss.com](mailto:joeboss@joeboss.com)

San Francisco Community Power  
c/o Steven Moss  
2325 Third Street # 344  
San Francisco, CA 94107  
**[steven@sfpower.org](mailto:steven@sfpower.org)**

Californians for Renewable Energy, Inc.  
(CARE)  
Michael E. Boyd, President  
5439 Soquel Drive  
Soquel, California 95073  
**[michaelboyd@sbcglobal.net](mailto:michaelboyd@sbcglobal.net)**

Lynne Brown – Member, CARE  
Resident, Bayview Hunters Point  
24 Harbor Road  
San Francisco, California 94124  
**[L\\_brown123@yahoo.com](mailto:L_brown123@yahoo.com)**

Robert Sarvey  
501 West Grantline Road  
Tracy, CA 95376  
**[sarveyBob@aol.com](mailto:sarveyBob@aol.com)**

**DECLARATION OF SERVICE**

I, Jeannette Harris declare that on April 14, 2006, I deposited copies of the attached Motion for an Extension of Time and Change of Schedule of the City and County of San Francisco in the United States mail at Sacramento, California with first class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above. Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
[signature]