

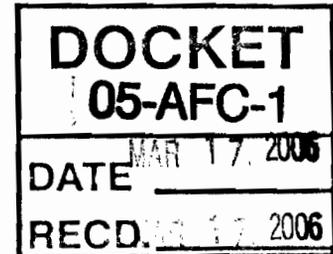
ELLISON, SCHNEIDER & HARRIS L.L.P.

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JONATHAN R. SCHUTZ  
GREGGORY L. WHEATLAND

March 17, 2006



Docket Office  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Re: Pastoria Energy Facility Expansion Project  
Docket No. 05-AFC-1

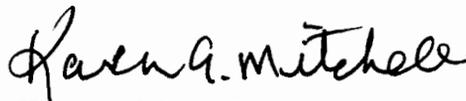
Dockets:

Enclosed are originals and 12 copies of the following documents to be filed today.

- Joint Stipulation Regarding Testimony and Exhibits of Applicant and Commission Staff with the Joint Exhibit List as Attachment 1. (Original signed in counterparts).
- A revised witness list substituting Michael Argentine for Andrew Whittome and Rick Tetzloff in the areas where there may be direct testimony and discussion. (We will provide a revised affidavit for Mr. Argentine prior to the evidentiary hearing.)
- Original testimony affidavits for Michael Argentine and Russell Kokx.

If you have any questions, please contact me. Thank you.

Very truly yours,



Karen A. Mitchell  
Paralegal

/kam  
Enclosures

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

Application for Certification for the )  
PASTORIA ENERGY FACILITY (PEF) ) Docket No. 05-AFC-1  
160 mw EXPANSION )  
BY CALPINE CORPORATION )  
)

**JOINT STIPULATION REGARDING TESTIMONY AND EXHIBITS  
OF APPLICANT AND COMMISSION STAFF**

Calpine Corporation (“Applicant”) and the Staff of the California Energy Commission (“Commission Staff”), collectively referred to as “the Parties”, jointly stipulate and agree as follows:

1. Each of the exhibits set forth in Attachment 1 to this Stipulation may be entered into evidence without objection by the Parties, based solely upon the sworn declaration of the witnesses sponsoring such testimony.
2. The parties do not intend to cross-examine any witness.
3. The parties do not need to call witness to testify in this proceeding, but will however make any witness available for questioning by the Committee or any other party to this proceeding.
4. Except as may be requested by the Committee, neither party will introduce any additional testimony without the consent of the other party.
5. In reliance on, and subject to the stipulations above, the Parties agree to jointly move into evidence the exhibits set forth in Attachment 1.

Dated: March 17, 2006

\_\_\_\_\_  
Greggory L. Wheatland  
Jeffery D. Harris

For the Applicant

  
\_\_\_\_\_  
Kerry Willis

For the Commission Staff

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

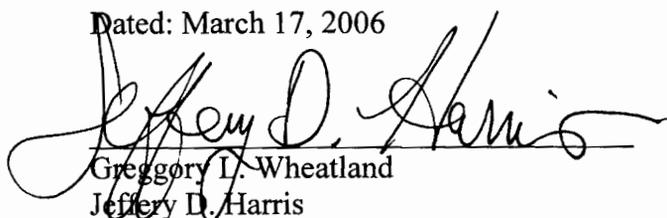
Application for Certification for the )  
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**JOINT STIPULATION REGARDING TESTIMONY AND EXHIBITS  
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1. Each of the exhibits set forth in Attachment 1 to this Stipulation may be entered into evidence without objection by the Parties, based solely upon the sworn declaration of the witnesses sponsoring such testimony.
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3. The parties do not need to call witness to testify in this proceeding, but will however make any witness available for questioning by the Committee or any other party to this proceeding.
4. Except as may be requested by the Committee, neither party will introduce any additional testimony without the consent of the other party.
5. In reliance on, and subject to the stipulations above, the Parties agree to jointly move into evidence the exhibits set forth in Attachment 1.

Dated: March 17, 2006

  
Greggory L. Wheatland  
Jeffery D. Harris

For the Applicant

\_\_\_\_\_  
Kerry Willis

For the Commission Staff

**ATTACHMENT 1**  
**JOINT EXHIBIT LIST**

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

In the Matter of: )  
 ) Docket No. 05-AFC-1  
Application for Certification for the Pastoria Energy )  
Facility (PEF) 160 MW Expansion by Calpine )  
Corporation )  
\_\_\_\_\_ )

**EXHIBIT LIST**

- Exhibit 1 Application for Certification (AFC), Pastoria Energy Facility Expansion, dated April 25, 2005. Docketed April 29, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 2 Pastoria-Pardee Transmission Line Project Environmental Analysis, dated November 8, 2005. Docketed November 9, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 3 Reserved
- Exhibit 3A Reserved
- Exhibit 4 Reserved
- Exhibit 5 Air Quality – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5A Applicant’s Supplement in Response to Data Adequacy Comments on the Air Quality section of the AFC, dated June 9, 2005. Docketed June 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5B Applicant’s Response to CEC Staff Data Requests Set 1, dated July 25, 2005, Request Nos. 1 through 33. Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5C Applicant’s Response to CEC Staff Data Requests Set 2, dated August 12, 2005, Request Nos. 8, 10, 11, 12, 25, 29, 30, 31 and supplemental information regarding separate permits. Docketed August 12, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.

- Exhibit 5D Air Quality Modeling Files in support of Application for Certification, dated April 2005. (Docket No. 31127). Docketed April 29, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5E Application for a Prevention of Significant Deterioration Permit, dated May 2, 2005, filed with the US EPA. (Docket Nos. 34223, 34277) This document consists of a transmittal letter, and the following sections of the AFC: Table of Contents, Executive Summary (1.0), Facility Description and Location (3.0), Air Quality (5.2) including the Air Quality Technical Report (Appendices A through F), Agriculture and Soils (5.4), Land Use (5.9) and Biological Resources (5.6), and air quality modeling files on CD. Docketed May 2, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5F Application for Determination of Compliance and Authority to Construct, filed with the SJVAPCD, dated May 3, 2005. (Docket No. 34224) This document consists of a transmittal letter with application forms, and the following sections of the AFC: Table of Contents, Executive Summary (1.0), Facility Description and Location (3.0), Air Quality (5.2) including the Air Quality Technical Report (Appendices A through F), Public Health (5.16 and air quality modeling files on CD). Docketed May 3, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5G Letter from Nancy Matthews, Sierra Research to Dr. James Reede, CEC, transmitting additional information responding to informal CEC Staff requests, dated May 18, 2005. (Docket No. 34842). Docketed May 18, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5H Letter from Nancy Matthews, Sierra Research, to Tom Goff, SJVAPCD, seeking data to support a cumulative impacts analysis, dated May 18, 2005. Docketed May 18, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5I Letter from David Warner, SJVAPCD, to Andrew Whittome, PEF, confirming that the application has been accepted as complete by the SJVAPCD, dated May 19, 2005. (Docket No. 34414). Docketed May 19, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5J Letter from Nancy Matthews, Sierra Research, to Thomas Goff, SJVAPCD, revising the VOC BACT emission rate for the project, dated May 24, 2005. (Docket No. 34428). Docketed May 24, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5K Letter from Gerardo Rios, US EPA, to Andrew Whittome, Calpine, confirmed that the PSD application has been accepted as administratively complete, dated

- June 6, 2005. Docketed June 8, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5L Letter from David Warner, SJVAPCD to Nancy Matthews, Sierra Research, confirm that no sources for the cumulative impacts analysis have been identified, dated June 6, 2005. Docketed June 9, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5M Letter from Nancy Matthews, Sierra Research, to Dr. James Reede, CEC, transmitting EPA letter regarding administrative completeness, dated June 8, 2005. (Docket Nos. 34650, 34612). Docketed June 8, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5N Letter from Nancy Matthews, Sierra Research, to Dr. James Reede, CEC, transmitting SJVAPCD letter regarding cumulative impacts, dated June 9, 2005. (Docket Nos. 34667, 34609). Docketed June 9, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5O Letter from Nancy Matthews, Sierra Research, to Thomas Goff, SJVAPCD, transmitting corrected pages from the AFC and Application for Authority to Construct, dated June 14, 2005. (Docket Nos. 34668, 34608). Docketed June 14, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5P Letter from Nancy Matthews, Sierra Research, to Dr. James Reed, CEC, transmitting an SJVAPCD report referenced in the response to Data Request 26, dated July 25, 2005. (Docket No. 35064). Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5Q Letter from Nancy Matthews, Sierra Research, to Trent Procter, US Forest Service, transmitting Class I Impacts Analysis, dated August 8, 2005. Docketed August 12, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5R Preliminary Determination of Compliance issued by the SVJAPCD for PEFE, dated August 31, 2005. (Docket No. 35444). Docketed August 31, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5S Letter from Paul Richins, CEC, to David Warner, SJVAPCD, providing the CEC Staff's comments on the PDOC, dated September 29, 2005. (Docket No. 35744). Docketed September 29, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5T Letter from Gary Rubenstein, Sierra Research, to David Warner, SJVAPCD, providing comments on the PDOC, dated October 5, 2005. (Docket No. 35596).

- Docketed October 5, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5U Letter from Gerardo Rios, US EPA, to Dave Warner, SJVAPCD, providing EPA's comments on the PDOC, dated October 5, 2005. (Docket No. 35607). Docketed October 5, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5V Letter from Gary Rubenstein, Sierra Research, to Dave Warner, SJVAPCD, responding to EPA and CEC Staff comments on the PDOC, dated October 25, 2005. (Docket No. 35813). Docketed October 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5W Letter from David Warner, SJVAPCD, to Mike Tollstrup, California Air Resources Board, providing notice of issuance of a final Determination of Compliance for PEFE, dated November 9, 2005. Docketed November 9, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5X Final Determination of Compliance issued by the SJVAPCD for PEFE, dated November 9, 2005. (Docket No. 35894). Docketed November 9, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5Y Applicant's Supplemental Air Quality Testimony dated January 30, 2006. Docketed January 30, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 5Z Applicant's Supplemental Air Quality Testimony – Revised Appendix A dated February 3, 2006. Docketed February 3, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 6 Biological Resources – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 6A Applicant's Supplement in Response to Data Adequacy Comments on the Biological Resources section of the AFC, dated June 9, 2005. Docketed June 10, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 6B Applicant's Response to CEC Staff Data Requests Set 1, dated July 25, 2005, Request Nos. 34 and 35. Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 7 Cultural Resources – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.

- Exhibit 7A Applicant's Supplement in Response to Data Adequacy Comments on the Cultural Resources section of the AFC, dated June 9, 2005. Docketed June 10, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 7B Applicant's Response to CEC Staff Data Requests Set 1, dated July 25, 2005, Request No. 36. Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 8 Hazardous Materials Handling – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 8A Applicant's Response to CEC Staff Data Requests Set 1, dated July 25, 2005, Request Nos. 38 and 39. Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 8B Applicant's Response to CEC Staff Data Requests Set 2, dated August 12, 2005, Request No. 39. Docketed August 12, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 9 Land Use – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 10 Noise – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 11 Public Health – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 11A Applicant's Response to CEC Staff Data Requests Set 1, dated July 25, 2005, Request No. 40. Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 11B Applicant's Response to CEC Staff Data Requests Set 2, dated August 12, 2005, Request No. 40. Docketed August 12, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 12 Socioeconomics – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 12A Applicant's Supplement in Response to Data Adequacy Comments on the Socioeconomics section of the AFC, dated June 9, 2005. Docketed June 10, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.

- Exhibit 13 Soil and Water Resources – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 13A Applicant’s Supplement in Response to Data Adequacy Comments on the Soil and Water sections of the AFC, dated June 9, 2005. Docketed June 10, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 13B Applicant’s Response to CEC Staff Data Requests Set 1, dated July 25, 2005, Request Nos. 41-44. Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 13C Applicant’s Response to CEC Staff Data Requests Set 2, dated August 12, 2005, Request Nos. 42 and 44. Docketed August 12, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 13D Industrial Water Services Contract Between Wheeler Ridge-Maricopa Water Storage District and Pastoria Energy Facility, LLC, Recorded on February 19, 2002. Docketed on June 16, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 14 Traffic and Transportation – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 15 Transmission Line Safety and Nuisance – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 16 Visual Resources – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 17 Waste Management – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 18 Worker Safety – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 19 Facility Design – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 20 Geology and Paleontology – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 21 Power Plant Efficiency – Applicant’s Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.

- Exhibit 21A Applicant's Response to CEC Staff Data Requests Set 1, dated July 25, 2005, Request No. 37. Docketed July 25, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 22 Power Plant Reliability – Applicant's Testimony. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 23 Reserved
- Exhibit 24 Alternatives – Applicant's Testimony. Docketed January 10, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 24A Applicant's Supplement in Response to Data Adequacy Comments on the Alternatives section of the AFC, dated June 9, 2005. Docketed June 10, 2005. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 25 General Conditions – General Conditions. Docketed January 10, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 26 Letter from Dariush Shirmohammadi of California ISO to Robert Lugo of Southern California Edison commenting on the Technical Assessment Study dated March 7, 2006. Docketed March 13, 2006. Sponsored by Applicant, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 100 Final Staff Assessment, Pastoria Energy Facility Expansion. Docketed November 28, 2005. Sponsored by Energy Commission Staff, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 101 Staff's Prehearing Conference Statement: Power Plant Efficiency, Supplemental Testimony of Steve Baker and William Walters. Docketed January 10, 2006. Sponsored by Energy Commission Staff, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 101A Staff's Prehearing Conference Statement: Air Quality, Supplemental Testimony of William Walters. Docketed January 10, 2006. Sponsored by Energy Commission Staff, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 102 Staff's Supplemental Testimony: Air Quality, Supplemental Testimony of William Walters. Docketed March 17, 2006. Sponsored by Energy Commission Staff, and received into evidence on \_\_\_\_\_, 2006.
- Exhibit 102A Staff's Supplemental Testimony: Hazardous Materials Management, Supplemental Testimony of Alvin Greenberg, Ph.D and Rick Tyler. Docketed March 17, 2006. Sponsored by Energy Commission Staff, and received into evidence on \_\_\_\_\_, 2006.

Exhibit 102B Staff's Supplemental Testimony: Soil and Water Resources, Supplemental Testimony of Linda D. Bond, P.G. Docketed March 17, 2006. Sponsored by Energy Commission Staff, and received into evidence on \_\_\_\_\_, 2006.

Exhibit 102C Staff's Supplemental Testimony: Transmission Systems Engineering, Supplemental Testimony of Sudath Arachchige and Mark Hesters. Docketed March 17, 2006. Sponsored by Energy Commission Staff, and received into evidence on \_\_\_\_\_, 2006.

**ATTACHMENT A**  
**TOPIC and WITNESS SCHEDULE**

(Topics not completed may be continued to another hearing day)

Topic	Witnesses	Time*
Project Purpose and Description	Applicant: Argentine, Scholl Staff: Reede	20 min
Air Quality	Applicant: Rubenstein Staff: Walters SJVAPCD: Karrs, Scandura	30 min
Power Plant Efficiency	Applicant: Argentine Rubenstein Staff: Baker	20 min
Transmission System Engineering	Applicant: Argentine, Rubenstein Staff: Hesters	30 min
Soil and Water Resources	Applicant: Argentine, Scholl Staff: Bond	10 min
Worker Safety and Fire Protection	Applicant: Argentine, Scholl Staff: Greenberg	10 min
Hazardous Materials	Applicant: Argentine, McBride Staff: Greenberg	10 min
Alternatives	Applicant: Whittome, Scholl Staff: Reede	Declarations

Facility Design	Applicant: Whittome, Scholl Staff: Baker	Declarations
Power Plant Reliability	Applicant: Whittome, Scholl Staff: Baker	Declarations
Transmission Line Safety and Nuisance	Applicant: Whittome, Scholl Staff: Odoemelum	Declarations

Geological/Paleontological Resources	Applicant: Whittome, Scholl Staff: Hunter	Declarations
Cultural Resources	Applicant: Whittome, Scholl Staff: Torres	Declarations
Biological Resources	Applicant: Whittome, Scholl, Kokx Staff: Sanders	Declarations
Waste Management	Applicant: Whittome, Scholl Staff: Greenberg	Declarations
Public Health	Applicant: Whittome, Scholl,	Declarations

	Lague Staff: Greenberg	
Noise and Vibration	Applicant: Whittome, Scholl Staff: Baker	Declarations
Traffic and Transportation	Applicant: Whittome, Scholl Staff: Flores	Declarations
Socioeconomics	Applicant: Whittome, Scholl Staff: Diamond	Declarations
Land Use	Applicant: Whittome, Scholl Staff: Stennick	Declarations
Visual Resources	Applicant: Whittome, Scholl Staff: Adams	Declarations
Compliance	Applicant: Whittome, Scholl Staff: Lewis	Declarations

\*Includes direct testimony and cross-examination; parties may yield time.

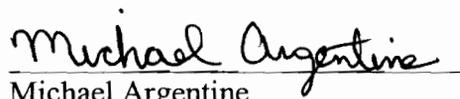
## AFFIDAVIT

I, Michael Argentine, declare as follows:

1. I am presently employed by Calpine Corporation as a Director of Project Development.
2. A copy of my professional qualifications and experience has been filed concurrently herewith and is incorporated by reference herein.
3. I prepared the attached testimony on Soil and Water Resources based upon my independent analysis of the data collected from reliable references, consultations with employees and agents of the project proponents, documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the testimony is valid and accurate with respect to the issues(s) addressed therein.
5. The testimony is based upon the facts as I am familiar with them, or where stated, based upon my belief of the facts, as I know them to be, and if called as a witness could testify competently on them.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 11/6/06

  
Michael Argentine  
Director of Project Development  
Calpine Corporation

**AFFIDAVIT**

I, Russell Kokx, declare as follows:

1. I am presently employed by Calpine Corporation as a Designated Biologist.
2. A copy of my professional qualifications and experience has been filed concurrently herewith and is incorporated by reference herein.
3. I prepared the attached testimony on Biological Resources based upon my independent analysis of the data collected from reliable references, consultations with employees and agents of the project proponents, documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the testimony is valid and accurate with respect to the issues(s) addressed therein.
5. The testimony is based upon the facts as I am familiar with them, or where stated, based upon my belief of the facts, as I know them to be, and if called as a witness could testify competently on them.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 1/31/06

  
Russell Kokx  
Designated Biologist  
Calpine Corporation

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

In the Matter of: )  
 ) Docket No. 05-AFC-1  
Application for Certification for the Pastoria Energy )  
Facility (PEF) 160 MW Expansion by Calpine )  
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\_\_\_\_\_ )

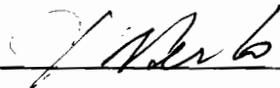
**PROOF OF SERVICE**

I, Travis Merlo, declare that on March 17, 2006, I deposited copies of the attached documents:

1. Original testimony affidavits for Michael Argentine and Russell Kokx.
2. Joint Stipulation Regarding Testimony and Exhibits of Applicant and Commission Staff with the Joint Exhibit List as Attachment 1. (Original signed in counterparts).
3. Revised witness list substituting Michael Argentine for Andrew Whittome and Rick Tetzloff in the areas where there may be direct testimony and discussion.

in the United States mail in Sacramento, California, with first-class postage thereon fully prepaid and addressed to all parties on the attached service list.

I declare under the penalty of perjury that the foregoing is true and correct.



---

Travis Merlo

**SERVICE LIST**

**05-AFC-1**

Michael Argentine, Project Mgr.  
Pastoria Expansion  
Calpine Corporation  
4160 Dublin Blvd.  
Dublin, CA 94568

Rick Thomas, Director  
Project Development  
Calpine Corporation  
4160 Dublin Blvd.  
Dublin, CA 94568

Jennifer Scholl  
URS Corporation  
130 Robin Hill Road, Suite 100  
Goleta, CA 93117

Nancy Matthews  
Sierra Research  
1801 J Street  
Sacramento, CA 95814

Thomas Goff, Permit Services Agency  
San Joaquin Valley Unified APCD  
2700 M Street  
Bakersfield, CA 93301

Paul Steckley  
CA Independent System Operator  
151 Blue Ravine Road  
Folsom, CA 95630

Robert J. Kunde  
Bill Taube  
Wheeler Ridge- Maricopa  
Water Storage District  
12109 Highway 166  
Bakersfield, CA 93313-9630