

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

IN THE MATTER OF:

APPLICATION FOR CERTIFICATION FOR THE  
**PANOCHÉ ENERGY CENTER**

DOCKET No. 06-AFC-5  
REVISÉD COMMITTEE  
SCHEDULING ORDER

|                                  |
|----------------------------------|
| <b>DOCKET</b><br><b>06-AFC-5</b> |
| <b>DATE</b> AUG 28 2007          |
| <b>RECD.</b> AUG 28 2007         |

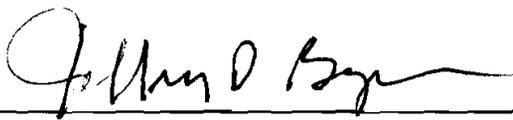
On November 8, 2006, the Application for Certification (AFC) was deemed data adequate for the twelve-month review process consistent with Public Resources Code section 25540.6. The Committee conducted a public informational hearing on December 12, 2006, to discuss the schedule and other issues of concern. A Committee Scheduling Order was issued on December 19, 2006. A Revised Scheduling Order was issued on July 12, 2007.

The Revised Committee Schedule called for the publication of the Staff's Final Staff Assessment (FSA) on or before September 14, 2007. In Joint Status Report 3 filed on August 10, 2007, Staff and the Applicant indicate that Staff will publish the FSA no later than September 14 and request an expedited hearing schedule with a combined Prehearing Conference and Evidentiary Hearing as soon as October 1. The parties expect that they will disagree regarding the appropriate source of water for the project; that issue will require adjudication by the Committee.

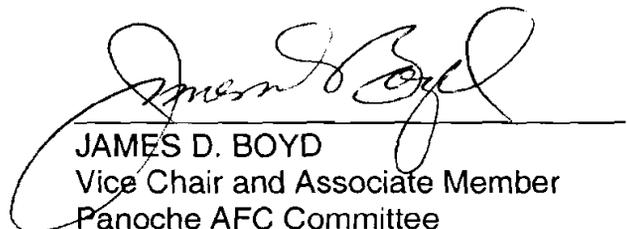
The parties' proposed schedule is too compressed; it would not give either the Committee or the public sufficient time to review the FSA and prepare for hearings. We have updated the schedule by inserting specific target date ranges for the Prehearing Conference and following events, heretofore marked as "to be determined." Barring unforeseen circumstances, this schedule would result in a final Commission Decision in December. The conference and hearing dates are premised on a September 14 FSA release; if the release date changes, they will be adjusted accordingly.

We may further modify the schedule at any time upon either our own motion or that of a party. [Cal. Code of Regs., tit. 20, § 1709(c)].

Dated August 28, 2007, at Sacramento, California.



JEFFREY D. BYRON  
Commissioner and Presiding Member  
Panoche AFC Committee



JAMES D. BOYD  
Vice Chair and Associate Member  
Panoche AFC Committee

**(SECOND REVISED) COMMITTEE SCHEDULE  
FOR THE  
PANOCH ENERGY CENTER PROJECT  
(06-AFC-5)**

| <b>DATE</b>                                 | <b>EVENT</b>                                                                                                                        |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| November 8, 2006                            | AFC data adequate                                                                                                                   |
| December 12, 2006                           | Informational Hearing and Site Visit                                                                                                |
| January 9, 2007                             | Applicant files responses to Staff data requests                                                                                    |
| Mid January, 2007                           | Staff conducts data response/issue resolution workshop                                                                              |
| February 27, 2007                           | Local, State and Federal Agency draft determinations, including air district's Preliminary Determination of Compliance (PDOC) filed |
| March 2, 2007                               | Parties file Status Report #1                                                                                                       |
| Mid April 2007                              | Local, State and Federal Agency final determinations filed                                                                          |
| June 28, 2007                               | Staff files Preliminary Staff Analysis (PSA)                                                                                        |
| July 15, 2007                               | Air district's Final DOC filed                                                                                                      |
| July 27, 2007                               | Staff conducts PSA workshop                                                                                                         |
| August 15, 2007                             | USFWS Biological Opinion and USEPA Underground Injection Permit filed                                                               |
| September 14, 2007 (or earlier if possible) | Staff files Final Staff Assessment (FSA)                                                                                            |
| September 17, 2007                          | After confirming that FSA was published as expected, Committee issues Notice of Prehearing Conference and Evidentiary Hearing       |
| September 28, 2007                          | Parties file Prehearing Conference statements (including exhibit lists)                                                             |
| Week of October 1, 2007                     | Prehearing Conference held in Sacramento                                                                                            |
| October 9, 2007                             | Parties exchange and file documentary evidence with Hearing Officer and file prehearing briefs regarding contested topics           |
| Week of October 15, 2007                    | Evidentiary Hearing                                                                                                                 |
| No later than November 14, 2007             | Presiding Member's Proposed Decision (PMPD) issued for 30 day comment period                                                        |
| Week of December 10, 2007 *                 | PMPD comment hearing                                                                                                                |
| December 17, 2007 *                         | PMPD errata issued                                                                                                                  |
| December 19, 2007                           | Energy Commission holds PMPD adoption hearing                                                                                       |

\* If the PMPD is published significantly in advance of November 14, these dates may be advanced. Revised August, 2007

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

APPLICATION FOR CERTIFICATION  
FOR THE PANOCHÉ ENERGY  
CENTER

Docket No. 06-AFC-5  
PROOF OF SERVICE  
(Revised 7/12/07)

**INSTRUCTIONS:** All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 06-AFC-5  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**APPLICANT**

Gary R. Chandler  
Panoche Energy Center, LLC  
P.O. Box 95592  
South Jordan, UT 84095-0592  
[grchandler@gmail.com](mailto:grchandler@gmail.com)

**APPLICANT CONSULTANTS**

Maggie Fitzgerald, Program Manager  
URS  
2020 East First Street, Suite 400  
Santa Ana, CA 92705  
[Maggie\\_Fitzgerald@urscorp.com](mailto:Maggie_Fitzgerald@urscorp.com)

**COUNSEL FOR APPLICANT**

Allan Thompson  
21 "C" Orinda Way, No. 314  
Orinda, CA 94563  
[allanori@comcast.net](mailto:allanori@comcast.net)

**INTERESTED AGENCIES**

Larry Tobias  
Ca. Independent System Operator  
151 Blue Ravine Road  
Folsom, CA 95630  
[LTobias@caiso.com](mailto:LTobias@caiso.com)

Electricity Oversight Board  
770 L Street, Suite 1250  
Sacramento, CA 95814  
[esaltmarsh@eob.ca.gov](mailto:esaltmarsh@eob.ca.gov)

**\*Domingo Morales**  
**Director of Public Works**  
**643 Quince Street**  
**Mendota, CA 93640**  
**[dmorales@ci.mendota.ca.us](mailto:dmorales@ci.mendota.ca.us)**

Ben Gallegos  
Director of Public Works  
1575 Eleventh Street  
Firebaugh, CA 93622  
[Publicworks@ci.girebaugh.ca.us](mailto:Publicworks@ci.girebaugh.ca.us)

**INTERVENORS**

CURE  
Gloria D. Smith  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[gsmith@adamsbroadwell.com](mailto:gsmith@adamsbroadwell.com)

CURE  
Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[mdjoseph@adamsbroadwell.com](mailto:mdjoseph@adamsbroadwell.com)

**ENERGY COMMISSION**

JEFFREY D. BYRON  
Presiding Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

JAMES D. BOYD  
Associate Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

Paul Kramer, Jr.  
Hearing Officer  
[pkramer@energy.state.ca.us](mailto:pkramer@energy.state.ca.us)

James Reede  
Project Manager  
[jreede@energy.state.ca.us](mailto:jreede@energy.state.ca.us)

Deborah Dyer  
Staff Counsel  
[ddyer@energy.state.ca.us](mailto:ddyer@energy.state.ca.us)

Public Advisers Office  
[pao@energy.state.ca.us](mailto:pao@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, Kate Nicholls, declare that on August 28, 2007, I deposited copies of the attached Revised Committee Scheduling Order in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

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

  
\_\_\_\_\_  
Kate Nicholls