

From: John Kessler
To: Robin Bell
CC: AGENA GARNETT; Docket Optical System; Jackalyne Pfannenstiel; James P...
Date: 6/10/2008 7:33 AM
Subject: Re: Data Request Workshop Docket 07-AFC-8

Dear Robin:

I don't think I said that we would not have a Data Response & Issue Resolution workshop, but instead indicated I did not know yet if we needed one. Certainly, a measure of need from our perspective is to include the needs of the community and all interested parties. Therefore, I appreciate that you have conveyed your desire that we hold another workshop, and I will support that we do so. Probably the most efficient time to hold the next workshop will be sometime after we receive the AFC supplement in early July. Tentatively, we could target late July as a possible time.

We will post the letter to our website and my response to the applicant whereby we mutually agree to provide the applicant additional time to respond to our Data Request Set 2.

We will update the schedule after we have received the AFC Supplement, and have had a chance to update our work plans to consider the new information describing the project.

I will have to get back to you later regarding your transportation question, as I do not have all my resources available to me while I am out of the office (I am responding to your email via our Remote Access system while I am on vacation).

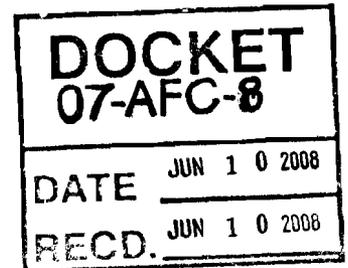
Please contact Mary Dyas while I am out of the office during the period 6/9 - 6/23. She will be glad to respond to any other questions you may have.

We want you to feel supported throughout this process, and hope that our ongoing dialogue demonstrates our commitment to do so. Please let us know if you have any further questions.

Sincerely,

John

John S. Kessler
 CEC - Project Manager
 Office: 916-654-4679
 Cell: 530-306-5920
 Fax: 916-654-4421



>>> "Robin Bell" <robin@midstateexpo.com> 6/8/2008 8:57 AM >>>
 John Kessler
 Project Manager
 Energy Facility Siting Project Manager
 California Energy Commission

RE: Docket 07-AFC-8

Dear John,

The more I think about the possibility the CEC will not schedule a Data Request Workshop for the responses to the current round of Data Requests, the more I believe the public is being intentionally kept out of the loop on this project in an effort to fast track it's approval. There are several reasons to believe this to be the case.

First of all, the second round of Data Requests were not posted on the website for almost a month. I had to ask if they had been issued before they were posted.

Secondly, I had to ask if the Data Request Response due date was postponed. Since the AFC was supposed to notify the CEC in writing and include the reasons for the need to extend the due date, why is this letter not posted on the website? Why is there not an updated schedule reflecting this change?

Thirdly, there are various bits of information that arise that indicate the AFC and the CEC have non-public exchanges of information. For instance, at the last workshop held after the first round of Data Request Responses were received, the AFC was still unclear as to their traffic route for delivery trucks and employee buses. Now in this second set of Data Requests, the CEC recognizes most of these vehicles will drive from Kern county via SR58. Since the AFC couldn't identify their route at the last meeting, when and where did they document that this would be their primary route. There are many pieces of information like this that do not seem to be publicly documented.

And finally, this round of Data Request Responses contains several issues that could have a significant impact on local residents. By not holding a workshop, the CEC is denying the public the opportunity to understand the responses completely by asking for explanations and asking questions. And, since a supplemental AFC will be filed at the same time, we would also be denied the opportunity to fully understand it.

The workshops are important to the public. Not only do they provide an opportunity for the public's understanding, they also provide a means to verify the AFC information with the public. For example, without the public's input, the issue that the AFC had not identified hardly any of the existing wells in the area would not have been discovered. And for instance in this round of Data Requests, during the performance of required sound surveys there have already been questions about the scope and conditions in which the surveys were performed. The general public should have the opportunity to ask if they were counted in these surveys and confirm that they were counted fairly.

The CESF has the potential to have a major impact on the lives and well being of it's neighbors and the CEC has said it's approval process would be transparent. It is not transparent. The CEC should make all efforts to guarantee it is by holding as many workshops as possible and by posting all AFC and CEC correspondence.

Sincerely,

Robin Bell