

<b>DOCKET</b>
<b>07-AFC-9</b>
DATE <u>MAR 08 2010</u>
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March 8, 2010

California Energy Commission  
Docket Unit  
1516 Ninth Street  
Sacramento, CA 95814-5512

Subject: **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY'S  
COMMENTS ON THE PRESIDING MEMBER'S PROPOSED DECISION  
DOCKET NO. (07-AFC-9)**

Enclosed for filing with the California Energy Commission is the original of the **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY'S COMMENTS ON THE PRESIDING MEMBER'S PROPOSED DECISION**, for the Canyon Power Plant (07-AFC-9).

Sincerely,



Marie Mills

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STATE OF CALIFORNIA

Energy Resources  
Conservation and Development Commission

In the Matter of:

Application for Certification for the  
**CANYON POWER PLANT**

**DOCKET NO: 07-AFC-9**

**SOUTHERN CALIFORNIA PUBLIC  
POWER AUHORITY'S COMMENTS  
ON THE PRESIDING MEMBER'S  
PROPOSED DECISION**

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**INTRODUCTION**

Southern California Public Power Authority (SCPPA), in accordance with the Committee Notice of Availability of the Presiding Member's Proposed Decision (PMPD) and Notice of Committee Conference and Notice of Commission Hearing, dated February 10, 2010, hereby files its comments on the PMPD.

**GLOBAL CHANGES**

The reference to evaporative coolers should be changed to inlet chillers throughout the PMPD. These are itemized below.

- Page 1, Last Paragraph, First Sentence
- Page 5, Second Paragraph

**POWER PLANT RELIABILITY**

**Page 72, Finding 10**

This finding states that the total operation of the project will not exceed 4,320 machine-hours annually. That is a correct statement if the turbines were operated at full load. However, since the facility air quality conditions limit the amount of fuel burned and total emissions, it is possible that since the CPP is a peaking unit and will respond to peak demand, that the total machine hours could exceed the prediction in this finding if the turbines are operated at lower turbine loads. Therefore SCPPA recommends that the finding be modified to state the project will be operated as a peaking unit.

## **TRANSMISSION LINE SAFETY AND NUISANCE**

### **Page 87, Finding 4**

This finding states that the new interconnection line will be constructed in accordance with standard SCE practices. The reference to SCE should be replaced with the City of Anaheim.

## **WASTE MANAGEMENT**

### **Page 210, Condition of Certification WASTE-1**

This condition has been modified by the Committee to add reference to the Department of Toxic Substances Control (DTSC) requirements. As described in the AFC and subsequent filings, the known areas of soil contamination has already been remediated in accordance with Orange County Health Care Agency (OHCA) requirements. This remediation was completed as part of the City of Anaheim's existing obligation to remediate its property and was unrelated to the CPP. If any additional soil contamination is discovered, it will be properly handled in accordance with Condition of Certification **WASTE-4**. Therefore, there is no need to reference DTSC in this condition.

### **Page 211, Condition of Certification WASTE-2**

This condition should be modified to remove reference to septic tanks because there are no septic tanks on site. There was a septic tank associated with an abandoned residence, but the septic tank was removed prior to filing the AFC. In addition, SCPPA requests the phrase "**requiring a permit**" be added after the term "other storage containers" to clarify that SCPPA need only obtain a permit from the Anaheim Fire Department for removing other storage containers in those instances where a permit is required.

## **SOIL & WATER RESOURCES**

### **Page 234, Condition of Certification SOIL & WATER-6**

The Committee modified this condition from that contained in the FSA to provide the clarity requested by SCPPA in its testimony. However, SCPPA requests an additional minor change for the same reasons outlined in its testimony. To ensure that the Orange County Water District (OCWD) is not required to provide the CPP with a minimum of 370-AFY, when the CPP will not require that amount, SCPPA requests that the Term “will provide” in the last line of the first paragraph of the Verification, be replaced with “can provide”.

## **LAND USE**

### **Page 271, Second to Last Paragraph**

This paragraph references a third gate off the alley to the east of the Project Site. That gate has been removed from the project.

### **Page 274, Finding 1**

This finding states that the project and all ancillary facilities are located within the City of Anaheim. The finding should be modified to reflect that a small portion of the natural gas pipeline is within the City of Placentia.

### **Page 278, Land Use Figure 2**

On page 278 of the PMPD, Land Use Figure 2 should be replaced with Exhibit 75 which was submitted into the evidentiary record as the latest version of the Plot Plan for the CPP.

Dated: March 8, 2010

Respectfully Submitted,

// Original Signed //

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Scott A. Galati  
Counsel to SCPPA



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)**

**APPLICATION FOR CERTIFICATION  
FOR THE *CANYON POWER*  
*PLANT PROJECT***

**Docket No. 07-AFC-9**

**PROOF OF SERVICE**

*(Revised 10/23/2009)*

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DECLARATION OF SERVICE

I, Ashley Y. Garner, declare that on March 8, 2010, I served and filed copies of the attached **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY'S COMMENTS ON THE PRESIDING MEMBER'S PROPOSED DECISION**, dated March 8, 2010. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [[www.energy.ca.gov/sitingcases/canyon/index.html](http://www.energy.ca.gov/sitingcases/canyon/index.html)]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

*(Check all that Apply)*

For service to all other parties:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

For filing with the Energy Commission:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

**OR**

depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**  
Attn: Docket No. **07-AFC-9**  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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

  
Ashley Y. Garner