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From: Kramer, Paul@Energy
Sent: Thursday, August 16, 2012 4:38 PM
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Subject: El Segundo Complaint meeting info
Attachments: 082912 business meeting agenda.pdf

TO: Persons Interested in the EL SEGUNDO POWER REDEVELOPMENT PROJECT COMPLAINT (12-CAI-03)
FROM: Paul Kramer, Chief Hearing Adviser, California Energy Commission
SUBJECT: Notice of Energy Committee Business Meeting re El Segundo Complaint

I write to notify you that the complaint filed by Michelle Murphy and Bob Perkins on July 3, 2012 will be considered by the Energy Commission on August 29, 2012, at 1:30 p.m. in Sacramento. Further information about the location, participation by telephone and other aspects of the meeting is contained on the attached agenda. (Caution-the WebEx broadcast described in the agenda is listen only; if you want to speak to the Commission, you must call in via the 888 number instead.)

I'm sending this message to the Complainants and other interested persons such as Commission staff, the project owner, and those who have petitioned to intervene. In addition, it is sent as a courtesy to those persons who have submitted comments in the case to this point; future notices may not be so widely distributed and persons in that category should subscribe to the project listserv (<http://www.energy.ca.gov/listservers/>) to assure that they receive future notices and other information regarding the project.





August 29, 2012

1516 Ninth Street
Hearing Room A – First Floor
Sacramento, California 95814

1:30 p.m.

(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER THE FOLLOWING ITEMS:

1. **ENERGY COMMISSION COMMITTEE APPOINTMENTS.** Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (5 minutes)
2. **EL SEGUNDO POWER REDEVELOPMENT PROJECT COMPLAINT (12-CAI-03).** Consideration of, and possible decisions regarding, a complaint filed under Title 20, California Code of Regulations, section 1237, by Michelle Murphy and Bob Perkins. The complaint alleges various failures to comply with the Commission Decision (00-AFC-14). The Commission will consider whether to dismiss the complaint; issue a written decision on the complaint with or without a hearing held during this meeting, or at a later meeting; or refer the matter to a committee for decision. The Commission or Committee decision may order, among other matters, clarification of or amendments to the previously adopted conditions of certification. The Commission may also consider extending the deadlines set forth in section 1237 and any pending motions relating to the complaint, such as petitions to intervene.

The El Segundo Power Redevelopment Project is a combined cycle electrical power plant facility with a generating capacity of 560-megawatts (MW) located in the city of El Segundo in Los Angeles County. Contact: Paul Kramer

3. **Lead Commissioner or Presiding Member Reports.** A Lead Commissioner on a policy matter may report to the Commission on the matter and discussion may follow. A Presiding Member on a delegated committee may report to the Commission on the matter and discussion may follow.
4. **Chief Counsel's Report:** The Energy Commission may adjourn to closed session with its legal counsel [Government Code Section 11126(e)] to discuss any of the following matters to which the Energy Commission is a party:
 - a. *In the Matter of U.S. Department of Energy (High Level Waste Repository)*, (Atomic Safety Licensing Board, CAB-04, 63-001-HLW);
 - b. *Public Utilities Commission of California* (Federal Energy Regulatory Commission, Docket No. EL10-64-000); *and Southern California Edison Company, et al.* (Federal Energy Regulatory Commission, Docket No. EL10-66-000);

- c. *BNSF Railway Company v. US Department of Interior, California Energy Commission* (U.S. District Court Central District of California-Riverside, CV 10-10057 SVW (PJWx));
- d. *Richard Latteri v. Energy Resources, Conservation and Development Commission, et al.* (Sacramento County Superior Court, 34-2011-99985);
- e. *Communities for a Better Environment, Robert Sarvey v. California Public Utilities Commission, Energy Resources Conservation and Development Commission, Real Parties in Interest, Pacific Gas and Electric Company, Contra Costa Generating Station, LLC* (California Supreme Court, S194079).
- f. *Rick Tyler, et al v. Governor of California, Edmund G. Brown, Jr., et al.* (Alameda County Superior Court, RG12619687).
- g. *California Unions for Reliable Energy v. Energy Resources Conservation and Development Commission, Real Parties in Interest Ormat Nevada, Inc., ORNI 18 LLC, and ORNI 19 LLC* (Alameda County Superior Court, RG 12610669).
- h. *Asphalt Roofing Manufacturers Association v. California Energy Commission* (Sacramento County Superior Court, #34-2012-80001195)
- i. *City of Carlsbad v. Energy Resources Conservation and Development Commission (Carlsbad Energy Center, Real Party in Interest)* (California Supreme Court, S203634)

The Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation; or that constitute a significant exposure to litigation against the Commission.

5. **Executive Director's Report.**
6. **Public Adviser's Report.**
7. **Public Comment:** People may speak up to five minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

If you require special accommodations, contact Lourdes Quiroz at 916-654-5146, five days before the meeting.

News media inquiries should be directed to:

Media and Public Communications - 916-654-4989

Questions about participation in the Business Meeting should be directed to:

Public Adviser's Office - 916-654-4489 or 800-822-6228

Participating by Telephone at a Business Meeting

To participate by telephone, please call toll free 1-888-823-5065 on Business Meeting days after 1:30 p.m. (PDT). The pass code for the meeting is "Business Meeting" and the call leader is Jerome Lee. If you plan to speak on a specific item, please give the operator the item number.

To avoid occasional technical problems with the Commission's telephone link, the Commission recommends that a written comment also be submitted either by facsimile or e-mail to the Public Adviser by 5 p.m. two days before the scheduled business meeting. Fax (916) 654-4493 or e-mail publicadviser@energy.ca.gov.

The Business Meeting is broadcast via WebEx, the Energy Commission's on-line meeting service. To listen to the meeting and view any presentations, please click the following link or paste it into your browser:

<https://energy.webex.com/energy/onstage/g.php?t=a&d=920247550>

You may also go to <https://energy.webex.com/ec> and enter Meeting Number **920 247 550**. The meeting password is **mtg@1330pm**.

The Energy Commission building has wireless Internet access available in the atrium, coffee shop, and library.

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Adjournment of Hearings and Meetings: Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made (Government Code §§11128.5, 11129).