Memorandum

To: Chairman Karen Douglas, Presiding Member
Commissioner Arthur H. Rosenfeld, Associate Member
Hearing Officer Raoul Renaud

From: California Energy Commission – Alan Solomon, Project Manager
1516 Ninth Street Sacramento, CA 95814-5512

Subject: GWF TRACY COMBINED CYCLE POWER PLANT PROJECT (08-AFC-7) STATUS REPORT #3

Pursuant to the Committee Scheduling Order dated October 31, 2008, the following is Staff’s Status Report #3 for the proposed GWF Tracy Combined Cycle Power Plant Project (GWF Tracy).

1. Staff has been working through the analysis phase of the Application for Certification (AFC) process for the proposed GWF Tracy Project. With the exception of two areas, staff are finalizing their PSA sections. The PSA section for Biological Resources and Air Quality are still pending.

   Biological Resources
   Due to staffing issues, the analysis of the Biological Resources section will be delayed. The Energy Commission is in the process of assigning a Biological Resources staff person to this project.

   Air Quality
   The staff of the San Joaquin Valley Air Pollution Control District (SJVAPCD) continue to have questions regarding use of inter-pollutant trading of emission reduction credits. The applicant proposes to use reductions of nitrogen oxides (NOx) to allow particulate matter increases, and SJVAPCD rules require a case-by-case analysis of this type of trade. Because of these questions, the Preliminary Determination of Compliance (PDOC) will be delayed and SJVAPCD staff will not commit to a release date for the PDOC. The Energy Commission’s Air Quality staff cannot complete their PSA section without this information from SJVAPCD.

2. On January 23, 2009, the applicant provided the Energy Commission with a Workshop Informal Data Request Response. Their Response addresses outstanding issues related to: 1) reconductoring, 2) setback limits, and 3) landscaping.

Schedule
The PSA was scheduled to be filed on February 12, 2009, with a PSA Workshop scheduled to be held on February 26, 2009. Due to the delays related to Biological Resources and Air Quality these dates are being postponed. A more specific timeline will be proposed after a Biological Resources staff person is assigned and the PDOC is issued.

Staff will continue to issue a monthly status report.
APPLICATION FOR CERTIFICATION
FOR THE GWF TRACY COMBINED CYCLE
POWER PLANT PROJECT

Docket No. 08-AFC-7

PROOF OF SERVICE
(Revised 12/10/2008)

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 01-AFC-16
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT
Doug Wheeler, Vice President
GWF Energy, LLC
4300 Railroad Avenue
Pittsburg, CA 94565
dwheeler@gwfpower.com

APPLICANT’S CONSULTANTS
Jerry Salamy, Consultant
Senior Project Manager, CH2M HILL
2485 Natomas Park Drive
Sacramento, CA 95833
Jerry.Salamy@CH2M.com

David A. Stein, P.E.
Vice President, Industrial Systems
CH2M HILL
155 Grand Avenue, Suite 1000
Oakland, CA 94512
dstein@ch2m.com

COUNSEL FOR APPLICANT
Michael J. Carroll
Latham & Watkins, LLP
650 Town Center Drive, 20th Floor
Costa Mesa, CA 92626-1925
michael.carroll@lw.com

INTERESTED AGENCIES
California ISO
e-recipient@caiso.com

INTERVENORS
Howard Seligman, Esg.
Seligman & Willett, Inc
7540 Shoreline Drive
Stockton, CA 95219
hselitenni@aol.com

*indicates change
*Mr. Robert Sarvey  
501 W. Grantline Road  
Tracy, California 95376  
sarveybob@aol.com

ENERGY COMMISSION

KAREN DOUGLAS  
Commissioner and Presiding Member  
KLdougl@energy.state.ca.us

ARTHUR H. ROSENFELD  
Commissioner and Associate Member  
arosenfe@energy.state.ca.us

Raoul Renaud  
Hearing Officer  
rrenaud@energy.state.ca.us

Christopher Meyer

DECLARATION OF SERVICE

I, April Albright, declare that on February 10, 2009, I deposited copies of the attached GWF Tracy Combined Cycle Power Plant Project (08-AFC-7) Status Report #3 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.

Original signature in Dockets  
April Albright