

LATHAM & WATKINS LLP

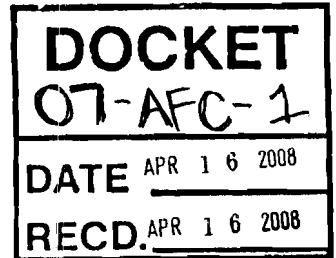
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April 16, 2008

File No. 039610-0001



VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-1
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

Re: Victorville 2 Hybrid Power Project: Docket No. 07-AFC-1

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find Applicant's Response to Modification to Proposed Condition AQ-SC6.

Please note that the enclosed submittal was filed today via electronic mail to your attention and to all parties on the CEC's current electronic proof of service list.

Very truly yours,

Paul E. Kihm
Senior Paralegal

Enclosure

cc: CEC 07-AFC-1 Proof of Service List (w/encl. via e-mail)
Michael J. Carroll, Esq. (w/encl.)

Michael J. Carroll
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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

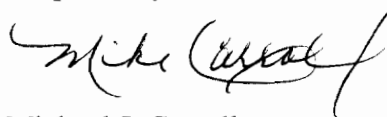
In the Matter of:)	Docket No. 07-AFC-1
)	
Application for Certification,)	APPLICANT'S RESPONSE TO
for the VICTORVILLE 2 HYBRID POWER)	MODIFICATION TO PROPOSED
PROJECT)	CONDITION AQ-SC6
by The City of Victorville)	
)	

Applicant has reviewed staff's response to concerns raised by Applicant regarding proposed Condition of Certification AQ-SC6 docketed on April 15, 2008. Applicant appreciates staff's re-assessment of the relevant modeling data, and the refinement of the proposed condition. Applicant finds the more narrow restrictions on construction set forth in the revised proposed condition acceptable, and does not object to imposition of Condition of Certification AQ-SC6, as revised by staff.

From Applicant's perspective, this resolution precludes the need to brief this issue, and unless otherwise directed by the Committee, Applicant does not intend to address this issue in its brief due on April 21, 2008.

DATED: April 16, 2008

Respectfully submitted,



Michael J. Carroll
of LATHAM & WATKINS LLP
Counsel to Applicant

**STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:) Docket No. 07-AFC-1
)
Application for Certification,) **ELECTRONIC PROOF OF SERVICE**
for the VICTORVILLE 2) **LIST**
HYBRID POWER PROJECT)
by the City of Victorville) **(revised September 6, 2007)**
)
_____)

Transmission via electronic mail and by depositing one original signed document with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the following:

DOCKET UNIT

CALIFORNIA ENERGY COMMISSION

Attn: DOCKET NO. 07-AFC-1
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
docket@energy.state.ca.us

Transmission via electronic mail addressed to the following:

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VICTORVILLE II HYBRID POWER PROJECT
CEC Docket No. 07-AFC-1

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INTERESTED AGENCIES

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VICTORVILLE II HYBRID POWER PROJECT
CEC Docket No. 07-AFC-1

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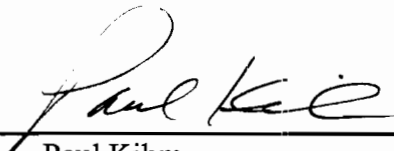
DECLARATION OF SERVICE

I, Paul Kihm, declare that on April 16, 2008, I deposited a copy of the attached:

APPLICANT'S RESPONSE TO MODIFICATION TO PROPOSED CONDITION AQ-SC6

with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the California Energy Commission. I further declare that 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. Executed on April 16, 2008, at Costa Mesa, California.



Paul Kihm