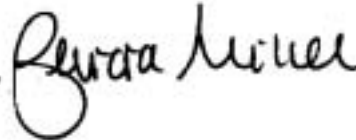


M e m o r a n d u m

To: Commissioner James Boyd, Presiding Member
Commissioner Arthur Rosenfeld, Associate Member

Date : December 12, 2007
Telephone: CALNET (916) 654-4640

From : California Energy Commission – Felicia Miller
1516 Ninth Street
Sacramento CA 95814-5512
Project Manager



Subject: **ORANGE GROVE POWER PLANT PROJECT (07-SPPE-2) STATUS REPORT 3**

Pursuant to the Committee Scheduling Order dated September 28, 2007, the following is staff's Status Report 3 for the proposed Orange Grove Power Plant Project.

Current Issues and Activities for Resolution

Staff has been working through the discovery and analysis phases of the Small Power Plant Exemption process for the proposed project. The applicant is currently working on an application supplement which will address a new source of cooling water for the project which would be used instead of the previously proposed groundwater. The applicant has indicated the water will be transported by truck and will be local, tertiary treated municipal wastewater.

A second round of data requests in the technical areas of air quality, biological resources and cultural resources was mailed to the applicant on December 6, 2007. Written responses from the applicant are due by January 5, 2008. The applicant will be responding to the data requests in the supplement to the application document.

Schedule

The schedule has been affected due to the need for an application supplement on the new water supply for the project. A new date for the data response workshop will be determined after staff has had an opportunity to review the supplemental information document from the applicant.

cc: Docket (07-SPPE-2)
Proof of Service List

DOCKET 07-SPPE-2
DATE <u>DEC 12 2007</u>
RECD. <u>DEC 12 2007</u>

PROOF OF SERVICE (REVISED 10/16/07) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 12/12/07

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA

**ORANGE GROVE POWER
PLANT REPLACEMENT PROJECT
SMALL POWER PLANT EXEMPTION**

**Docket No. 07-SPPE -2
PROOF OF SERVICE
Revised (10/16/07)**

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. 07-SPPE-2
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Stephen Thome
J-Power USA Development
1900 East Golf Road, Suite 1030
Schaumburg, IL 60173
sthome@jpowerusa.com

Mike Dubois
J-Power USA Development
1900 East Golf Road, Suite 1030
Schaumburg, IL 60173
mdubois@jpowerusa.com

APPLICANT CONSULTANT

Uday Singh, Vice President
TRC
21 Technology Drive
Irvine, CA 92619
usingh@trcsolutions.com

Joe Stenger, PG. REA
TRC
2666 Rodman Drive
Los Osos CA 93402
jstenger@trcsolutions.com

Charles, Diep, PE, CPP
TRC
21 Technology Drive
Irvine, CA 92619
cdiep@trcsolutions.com
cdiep@Roadrunner.com

COUNSEL FOR APPLICANT

Jane Luckhardt
Downey Brand, LLP
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

Wayne Song
Morgan, Lewis & Bockius LLP
300 S Grand Avenue, 22nd Floor
Los Angeles, CA 90071
wsong@morganlewis.com

INTERESTED AGENCIES

Larry Tobias
Ca. Independent System Operator
151 Blue Ravine Road
Folsom, CA 95630
LTobias@caiso.com

Electricity Oversight Board
770 L Street, Suite 1250
Sacramento, CA 95814
esaltmarsh@eob.ca.gov

Steve Taylor
San Diego Gas & Electric
8306 Century Park Court
San Diego, CA 92123
srtaylor@semprautilities.com

INTERVENORS

Gloria D. Smith
Marc D. Joseph
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
gsmith@adamsbroadwell.com

* Anthony J. Arand
219 Rancho Bonito
Fallbrook, CA 92028
(760) 728-7388 Voice
tony@envirepel.com

ENERGY COMMISSION

JAMES D. BOYD
Presiding Member
jboyd@energy.state.ca.us

ARTHUR ROSENFELD
Associate Member
pflint@energy.state.ca.us

Kenneth Celli
Hearing Officer
kcelli@energy.state.ca.us

Felicia Miller
Project Manager
fmiller@energy.state.ca.us

Jared Babula
Staff Counsel
jbabula@energy.state.ca.us

Public Adviser's Office
pao@energy.state.ca.us

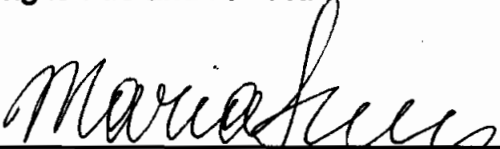
DECLARATION OF SERVICE

I, Maria Sergoyan, declare that on December 12, 2007, I deposited copies of the attached Orange Grove Power Plant Project (07-SPPE-2) Status Report 3 in the United States mail at Sacramento, California 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.



Maria Sergoyan