

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

IN THE MATTER OF:

THE APPLICATION FOR A SMALL POWER PLANT
EXEMPTION FOR THE *ORANGE GROVE*
POWER PLANT PROJECT

DOCKET No. 07-SPPE-2

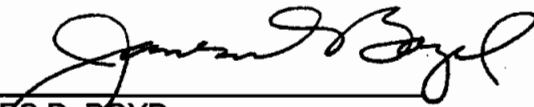
COMMITTEE REQUEST FOR CLARIFICATION

To promote the most efficient conduct of the proceedings in this matter, the Committee requests the parties submit briefs that clarify the following legal questions:


1. What is the proper legal standard that the Committee should use in recommending that the California Energy Commission exercise its discretion to either grant or deny Orange Grove Energy, L.P.'s application for exemption from the Commission's regular application process?
2. What would be the effect of a fair argument that the Orange Grove power plant project may have a substantial adverse impact on the environment?

Please submit responsive briefs to all parties on the Proof of Service list by close of business on November 1, 2007.

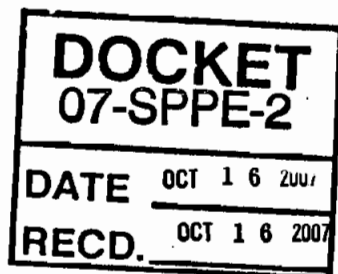
Dated: October 16, 2007.



JAMES D. BOYD
Commissioner and Presiding Member
Orange Grove SPPE Committee



ARTHUR ROSENFELD
Commissioner and Associate Member
Orange Grove SPPE Committee



Proof of Service List (Revised on 10/16/07
filed with Original Document. Mailed from
Sacramento on 10/16/07 MAR).

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



TO: All Parties

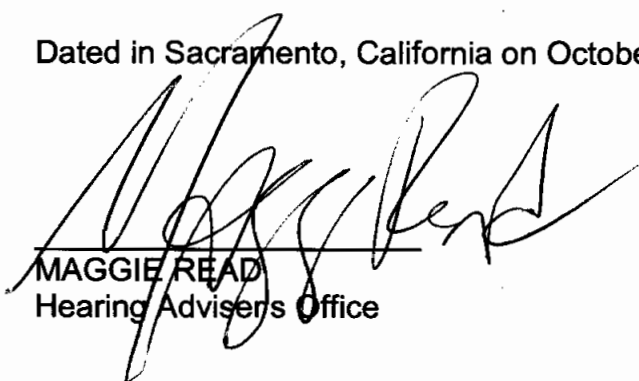
RE: Orange Grove Power Plant Replacement Project
Proof of Service List
Docket No. 07-SPPE-2

Attached is the Proof of Service List for the above mentioned project, current as of October 16, 2007. The new additions to the Proof of Service are in bold font and have an asterisk at the front of their contact information.

The Proof of Service List on the Commission's Web Site at <http://www.energy.ca.gov/sitingcases/orangegrove/index.html> has also been updated. Please use this list for all filings and submittals.

Please review this information and let us know if you would like to be removed from the Proof of Service or if there are any changes in your contact information.

Dated in Sacramento, California on October 16, 2007.


MAGGIE READ
Hearing Advisers Office

Attachments

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
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

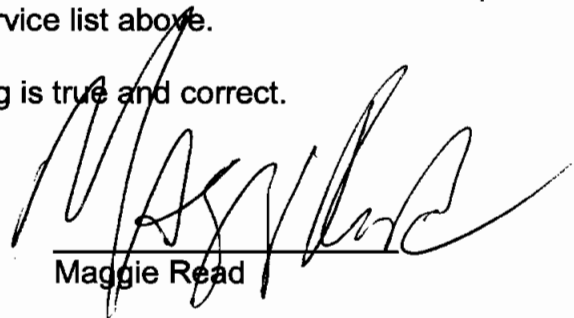
DECLARATION OF SERVICE

I, Maggie Read, declare that on October 16, 2007, I deposited copies of the attached Request for Clarification, All Parties Letter and new Proof of Service 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.



Maggie Read