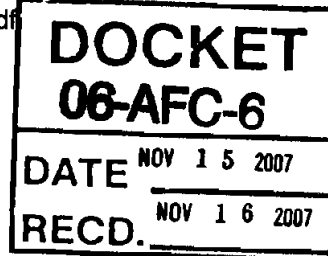


**From:** Susan Gefter  
**To:** Eastshore POS 2007; emccullough@lcwlegal.com; Ischulkind@lcwlegal.com  
**Date:** 11/15/2007 3:58 PM  
**Subject:** Eastshore, Docket No. 06-AFC-6, Response to Chabot College District  
**Attachments:** ORDER DENYING INTERVENORS PET TO SET ASIDE DATES.pdf



Re: Eastshore, Docket No. 06-AFC-6

To: Laura Schulkind, Esq.  
 Liebert Cassidy Whitmore  
 Counsel for Chabot Las Positas Community College District

In response to your November 14, 2007, letter to Commissioner Bryon requesting a continuance, Chabot College District (District) is not a party to this proceeding and has no standing to request a delay in the schedule. Per the Committee's direction in the Notice of Prehearing Conference (PHC) and Evidentiary Hearing (EH), new Intervenors will not be granted time extensions to review case materials. (See, October 17, 2007, Notice, at p. 4.) The Hayward community has been informed about the PHC and EH schedule since the Notice was distributed on October 17, 2007.

Per Public Resources Code section 25540.6, the power plant certification process should be concluded within 12 months of filing an application. This proceeding has been ongoing for more than 12 months. Notably, we conducted the informational hearing at the Business Lecture Hall at Chabot College on January 29, 2007. Chabot College was therefore putatively aware of this proceeding since at least January 2007.

The College District's Petition to Intervene, if timely filed, will be reviewed for consistency with regulatory requirements. (See, Cal. Code of Regs., tit. 20, sec. 1207.)

See the attached Order Denying Intervenors' Requests to Set Aside PHC and EH hearing dates.

Susan Gefter  
 Hearing Officer  
 Eastshore AFC Committee  
 California Energy Commission  
 Tel: 916-653-6110