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File No. 030137-0008

DOCKET 06-AFC-9	
DATE	OCT 12 2007
RECD.	OCT 12 2007

LATHAM & WATKINS LLP

October 12, 2007

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 06-AFC-9
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

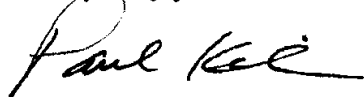
Re: Colusa Generating Station Project: Docket No. 06-AFC-9

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 Status Report #4.

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 06-AFC-9 Proof of Service List (w/ encl. via e-mail)
Michael J. Carroll, Esq. (w/ encl.)

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:)	Docket No. 06-AFC-9
)	
Application for Certification, for the COLUSA GENERATING STATION by E&L Westcoast, LLC)	APPLICANT'S STATUS REPORT #4
)	
)	
)	
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Applicant hereby submits Applicant's Status Report #4 pursuant to the Committee Order to Provide Status Report dated September 27, 2007. The Applicant believes that the inability to meet existing deadlines has resulted from a combination of a relatively minor modification to the project related to the proposed bridge over the Glenn-Colusa Canal, and workload within the CEC siting office which has slowed staff's review of the project. Applicant is currently preparing responses to data requests and a revised biological assessment both of which are required as a result of the re-design of the bridge. Shortly after submission of that information, it Applicant's understanding, and hope, that the CEC will issued the Final Staff Assessment. Given the very limited number of outstanding issues, the Applicant does not expect that extensive evidentiary hearings will be necessary. Based on these assumptions, the Applicant proposes the following schedule:

- Applicant Submits Data Request Responses10/12/07
- CEC Staff issues Final Staff Assessment10/31/07
- Pre-Hearing Conference11/15/07
- Evidentiary Hearings12/01/07
- Presiding Member's Proposed Decision (PMPD) Issued12/31/07
- PMPD Comment Hearing.....01/28/08
- PMPD Adoption Hearing02/06/08

The following is a summary of recent activity related to the project.

County Land Use Approvals

All required land use approvals at the County level have been obtained. The County of Colusa took the following actions on the dates indicated:

- September 10, 2007: Colusa County Planning Commission took final action to approve a Tentative Parcel Map for the creation of a 100-acre parcel on which the project will be sited.
- September 10, 2007: Colusa County Planning Commission took final action to approve an Advisory Use Permit.
- September 18, 2007: Colusa County Board of Supervisors adopted a resolution modifying the General Plan designation for the project site from Agriculture – General to Industrial.
- October 2, 2007: Colusa County Board of Supervisors adopted an ordinance modifying the zoning designation for the project site from Exclusive Agriculture to Industrial.
- October 2, 2007: Colusa County Board of Supervisors adopted an ordinance approving a Development Agreement between the Applicant and the County.
- October 2, 2007: Colusa County Board of Supervisors approved a water supply agreement between the Applicant, Glenn-Colusa Irrigation District and the County.

Water Supply Agreement

The water supply agreement between the Applicant, Glenn-Colusa Irrigation District and the County of Colusa was approved by the Board of the Glenn-Colusa Irrigation District on September 20, 2007 and by the Colusa County Board of Supervisors on October 2, 2007. Under the terms of Glenn-Colusa Irrigation District's contract with the U.S. Bureau of Reclamation ("USBR"), the USBR has up to 90 days to review and approve the agreement.

Proposed Modifications to Glenn-Colusa Canal Bridge Design

In response to concerns raised by adjacent property owners, the Applicant redesigned the proposed new bridge over the Glenn-Colusa Canal. On August 29, 2007, Applicant submitted a description and analysis of the proposed re-designed bridge. In response, the CEC staff issued data requests (#130-136) regarding the re-designed bridge. Responses to the data request are due on or before October 19, 2007, and the Applicant will meet this deadline.

Transmission System Engineering

Western has reviewed the project's potential impacts to the Shasta-Flanagan-Keswick Line. This documentation will be presented in the FSA as an Appendix. It is our understanding that Western may choose to use the CEC's FSA to meet their obligations under NEPA for environmental review.

Federal Permitting Process

On September 25, 2007, representatives of the Applicant met with staff members from the U.S. Army Corps of Engineers (“ACOE”), U.S. Fish & Wildlife Service (“USFWS”) and the CEC. Based on that meeting, the Applicant believes that the following schedule is reasonable for completion of the federal permitting process:

- CEC Data Request Responses10/12/07
- ACOE Public Notice Draft Provided to Applicant for Review.10/15/07
- ACOE Public Notice Published10/19/07
- Updated BA submitted to ACOE, USFWS, CEC10/19/07
- Follow up Meeting with ACOE, USFWS, CEC11/08/07
- ACOE 30-day Public Notice period closes11/18/07
- ACOE 15-day Public Notice Extension closes (if applicable)..12/03/07
- USFWS completed draft Biological Opinion.....12/01/07
- USFWS issues final Biological Opinion12/14/07
- ACOE completes draft Individual Permit12/31/07
- ACOE issues final Individual Permit01/14/08

The ACOE has received a concurrence letter from the National Marine Fisheries Service that concluded no further consultation would be required for species under their jurisdiction.

DATED: October 12, 2007

Respectfully submitted,



Michael J. Carroll
of LATHAM & WATKINS
Counsel to Applicant

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

In the Matter of:)	Docket No. 06-AFC-9
)	
Application for Certification,)	ELECTRONIC PROOF OF SERVICE
for the COLUSA GENERATING STATION)	LIST
by E&L Westcoast, LLC)	
)	(revised August 22, 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. 06-AFC-9
1516 Ninth Street, MS-4
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docket@energy.state.ca.us

Transmission via electronic mail addressed to the following:

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COLUSA GENERATING STATION PROJECT
CEC Docket No. 06-AFC-9

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COLUSA GENERATING STATION PROJECT
CEC Docket No. 06-AFC-9

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COLUSA GENERATING STATION PROJECT
CEC Docket No. 06-AFC-9

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DECLARATION OF SERVICE

I, Paul Kihm, declare that on October 12, 2007, I deposited a copy of the attached:

APPLICANT'S STATUS REPORT #4

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 October 12, 2007, at Costa Mesa, California.



Paul Kihm