

**RE: Motion to extend data request period Docket No: 11-AFC-3**

Renaud, Raoul@Energy

**Sent:** Thursday, May 03, 2012 10:00 AM

**To:** kevin Brewster [lzpup@yahoo.com]; camarin.madigan@bingham.com; ella.gannon@bingham.com; e-recipient@caiso.com; mkush@ci.santee.ca.us; johncollins@cogentrix.com; loriziebart@cogentrix.com; rickneff@cogentrix.com; DorianHouser [dhouser@cox.net]; Peterman, Carla@Energy; Allen, Eileen@Energy; Solorio, Eric@Energy; Lemei, Galen@Energy; Bartridge, Jim@Energy; Douglas, Karen@Energy; Public Adviser's Office; Adams, Stephen@Energy; rosindv@gmail.com; barry.mcdonald@tetrattech.com; connie.farmer@tetrattech.com

**Cc:** Energy - Docket Optical System; Jennings, Jennifer@Energy; Phil Connor [connorphil48@yahoo.com]

To Applicant and Commission Staff: Please email your response, if any, to the intervenors' request for an extension of the discovery cutoff to September 16, 2012, no later than Tuesday, May 8, 2012 at 3:00 PM. Under section 1716(e) of Commission regulations, the discovery cutoff is 180 days from the finding of data adequacy, which in this case would be May 14, 2012, but it may be extended by the Committee under section 1716(e) upon a showing of good cause.

Raoul Renaud  
Hearing Adviser II  
California Energy Commission  
1516 Ninth Street  
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<b>DOCKET</b>	
<b>11-AFC-3</b>	
<b>DATE</b>	<u>    MAY 03 2012    </u>
<b>RECD.</b>	<u>    MAY 03 2012    </u>

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**From:** kevin Brewster [mailto:lzpup@yahoo.com]

**Sent:** Tuesday, May 01, 2012 9:36 PM

**To:** camarin.madigan@bingham.com; ella.gannon@bingham.com; e-recipient@caiso.com; mkush@ci.santee.ca.us; johncollins@cogentrix.com; loriziebart@cogentrix.com; rickneff@cogentrix.com; DorianHouser; Peterman, Carla@Energy; Allen, Eileen@Energy; Solorio, Eric@Energy; Lemei, Galen@Energy; Bartridge, Jim@Energy; Douglas, Karen@Energy; Public Adviser's Office; Adams, Stephen@Energy; rosindv@gmail.com; Renaud, Raoul@Energy; barry.mcdonald@tetrattech.com; connie.farmer@tetrattech.com

**Cc:** Energy - Docket Optical System; Jennings, Jennifer@Energy; Phil Connor; Jennings, Jennifer@Energy; Energy - Docket Optical System; Phil Connor

**Subject:** Motion to extend data request period Docket No: 11-AFC-3

Hello,

On behalf of the following Interveners : Rosalind Varghese, Rudy Reyes, Myself (Kevin Brewster) and Intervenor Applicant ; Phil Conner, we request that the time period for submitting data requests be extended to allow for additional time to file data requests. We are requesting the extension based on two Points:

1. The applicant has submitted an extension request with the City of San Diego to allow for additional Public outreach and public education. We believe that the data request are a key CEC process for allowing the public to educate themselves about Applications before the CEC. Asking questions and enriching knowledge are an essential part of the educational experience. Project details will provide a necessary detail and factual balance to the public discourse on the Power Plant.

2. Interveners feel it is important to have a chance to respond to the responses provide by the applicant

to staff data requests. As the applicant's status reports indicate; responses are to staff data requests are due after the completion of the data request time period. This would not allow follow up on any items clarified by staff data requests. (please see cited CEC regulation below). We would like time to prepare data requests after having a sufficient time period to review the applicants responses to the data requests.

Based on the above 2 points and the time lines for both items plus time to respond to data uncovered we the above Intervenors would request the new date of the Data Request deadline be extended to Sep 16th.

Thank you,  
Kevin Brewster

**Sited Regulation:**

(g) If the requesting party or agency is unable to obtain information as provided in this section, such party or agency may petition the committee for an order directing the responding party to supply such information. A party petitioning the committee for an order to provide information must do so within either 30 days of being informed in writing by the responding party that such information will not be provided or within 30 days of the date the information was provided or was due. The committee may set a hearing to consider argument on the petition, and shall, within 30 days of the filing of the petition, either grant or deny the petition, in whole or in part. The committee may direct the commission staff to supply such of the information requested as is available to the staff.