



California Energy Commission

DOCKETED
12-AFC-2

TN # 68743

DEC. 03 2012

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December 3, 2012

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VIA EMAIL

The Honorable Andrew McAllister
The Honorable Karen Douglas
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re: Huntington Beach Energy Project (12-AFC-02)
Request for Additional Extension of Time to Submit Responses to Staff's Data
Requests, Set 1A (AQ-11, BIO-23, BIO-24, BIO-25, BIO-26)

Dear Commissioners:

On or about October 2, 2012, California Energy Commission Staff issued Data Requests, Set 1A (#1-72) ("Data Requests") for the Huntington Beach Energy Project Application for Certification proceeding, and identified November 2, 2012 as the date by which responses to such Data Requests were due. On October 22, 2012, Applicant AES Southland Development, LLC ("Applicant") submitted a request for extension of time to respond to certain Data Requests pursuant to Title 20, California Code of Regulations, section 1716(f). Specifically, Applicant requested an extension of time to respond to Data Requests AQ-11, BIO-23, BIO-24, BIO-25, and BIO-26. At the time of the initial request for extension of time to respond, Applicant anticipated filing responses to these specific Data Requests on or before December 14, 2012. However, as noted in footnote 1 of Applicant's October 22, 2012 correspondence to the Siting Committee, preparation of such responses requires certain information from the South Coast Air Quality Management District ("SCAQMD"). To date, Applicant has received approximately 85 percent of the information in response to its Public Records Act request submitted to the SCAQMD on October 5, 2012 and is currently reviewing the data. Applicant will follow up with



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phone calls and additional Public Records Act requests as needed to complete the modeling and responses to requests AQ-11, BIO-23, BIO-24, BIO-25, and BIO-26.¹

Based on the foregoing and the intervening holiday season, Applicant respectfully requests the Committee grant Applicant's additional request for extension to respond to the aforementioned Data Requests until **January 18, 2013**.

Should you have any questions or concerns regarding this request, please do not hesitate to contact me at 916.447.0700.

Respectfully submitted,

Melissa A. Foster

MAF:jmw

cc: Proof of Service

¹ As noted in footnote 1 of Applicant's October 22, 2012 correspondence to the Siting Committee, Applicant has apprised Felicia Miller, CEC Project Manager, of the status of information received from the SCAQMD.



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
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**APPLICATION FOR CERTIFICATION FOR THE
HUNTINGTON BEACH ENERGY PROJECT**

**Docket No. 12-AFC-02
(Revised 10/08/12)**

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*indicates change

72538013.1 0043653-00005

DECLARATION OF SERVICE

I, Judith M. Warmuth, declare that on December 3, 2012, I served and filed a copy of the attached **Applicant's Request for Additional Extension of Time to Submit Responses to Staff's Data Requests, Set 1A (AQ-11, BIO-23, BIO-24, BIO-25, BIO-26)** dated December 3, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:
http://www.energy.ca.gov/sitingcases/huntington_beach_energy/index.html.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked **"hard copy required"** or where no e-mail address is provided.

AND

For filing with the Docket Unit at the Energy Commission:

- by sending one electronic copy to the e-mail address below (preferred method) and by delivering the original to the Docket Unit; **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

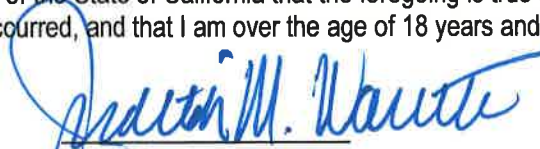
CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 12-AFC-02
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.


JUDITH M. WARMUTH