

Allan J Thompson  
21 "C" Orinda Way, #314  
Orinda, CA 94563  
(925) 258-9962  
allanori@comcast.net

April 24, 2009

[lmiles@adamsbroadwell.com](mailto:lmiles@adamsbroadwell.com)

Adams Broadwell Joseph & Cardozo  
601 Gateway Blvd., Suite 1000  
South San Francisco, CA 94080-7037

Subject: Data Requests

On April 6, 2009 CURE filed 143 data requests on the SES Solar Two Project ("SES Two"). 20 CCR 1716 (b) dictates that data requests are proper if the material requested is reasonably available to the applicant and if the information is relevant to the application or reasonably necessary to make a decision in the application. 20 CCR 1716 (f) provides that the recipient of the data requests must inform the requesting party within 20 days if the applicant is unable or objects to providing the information. Data request responses are to be filed within 30 days of their issuance.

Additional Time. Pursuant to 20 CCR 1716 (f) Applicant is to inform the issuing party if it is unable to respond to the requests within 30 days of data request issuance. There are no requests, other than those that are the subject of the Applicant's objections that will require additional time.

Objections. Pursuant to 20 CCR 1716(b) information requests can be made for information "reasonably available to the Applicant which is relevant to the...application proceeding or reasonably necessary to make any decision on the...application." Applicant objects to the following data requests (pursuant to 20 CCR 1716(f)) for the reasons given.

Sunrise DEIR/DEIS – Data Requests 123, 124 and 125. These three requests seek information contained in the Sunrise proceeding. This proceeding is closed and a decision has been issued by a sister California regulatory agency, the California Public Utilities Commission. SES Two objects to responding to these requests as the information sought is not relevant to this proceeding and not necessary to a decision by the CEC. The Applicant stands on the record as developed in this CEC proceeding.

Phase I Recommendation – Data Requests 140, 141, 142 and 143. These requests seek information on a private industrial entity, not a party to this proceeding. To the extent CURE requests information in the public record it is readily available, but it is also readily available to CURE, who is in a better position to know what information suits their needs.

Request 140. This request seeks information contained in regulatory agencies. Although this information is available to Applicant, it is also available to CURE. CURE is better able to determine which information contained at the regulatory agencies is relevant to their interests. The information sought is not relevant or necessary to a decision in this proceeding.

Requests 141 and 142. These requests seek information on the US Gypsum waste disposal ponds. Applicant has been informed that these ponds no longer exist – that is, there is no liquid at the pond locations. Additionally, no SES Two workers would come in contact with the soil in the area of these “ponds” as the ponds are not on land controlled by the SES Two, and the waste is buried beneath the surface of the earth. Phase I reports are intended to identify the existing condition of the construction area. Additional investigation would be appropriate if the waste ponds were located on SES Two property. The information sought is not reasonably available to the Applicant and is not relevant or necessary to a decision in this matter.

Request 143. This request seeks information on the emissions that may emanate from the US Gypsum facility and the impact such emissions could have upon the Suncatchers. This information is not readily available to Applicant. Applicant has assumed a schedule for mirror washing that will be adequate, given the location of the project. Information specific to the US Gypsum facility is not relevant to this application and is not necessary to make a decision in this application.

Dated: April 24, 2009

cc: Service List



Allan Thompson  
21 “C” Orinda Way, #314  
Orinda, CA 94563

One of Counsel  
SES Solar Two Project

STATE OF CALIFORNIA  
CALIFORNIA ENERGY COMMISSION

Application for Certification for )  
the SES Solar Two Project )  
\_\_\_\_\_ )

Docket No. 08-AFC-5

PROOF OF SERVICE

I, Allan J. Thompson, declare that on April 24, 2009 I deposited a copy of the attached Letter filed pursuant to 20 CCR 1716 (f) in the United States mail at Orinda, California with first class postage thereon fully prepaid and addressed to the California Energy Commission, and a transmission via electronic mail, consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5 and 1210 and "Proof of Service" to all those identified on the Proof of Service list.

Proof of Service List

California Energy Commission  
Attn: Docket No. 08-AFC-5  
1516 Ninth Street, MS-15  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

Applicant

Robert B Liden  
Executive Vice President  
SES Solar Two, LLC  
2920 E. Camelback Road, Ste 150  
Phoenix, AZ 85016  
[rliden@stirlingenergy.com](mailto:rliden@stirlingenergy.com)

Kevin Harper  
Project Manager  
SES Solar Two, LLC  
2920 E. Camelback Road, Ste 150  
Phoenix, AZ 85016  
[kharper@stirlingenergy.com](mailto:kharper@stirlingenergy.com)

Counsel for Applicant

Allan J Thompson  
Attorney at Law  
21 C Orinda, CA #314  
Orinda, CA 94563  
[allanori@comcast.net](mailto:allanori@comcast.net)

Interested Agencies

California ISO  
P. O. Box 639014  
Folsom, CA 95763-9014  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

Daniel Steward, Project Lead  
BLM – El Centro Office  
1661 S. 4<sup>th</sup> Street  
El Centro, CA 92243  
[Daniel\\_steward@ca.blm.gov](mailto:Daniel_steward@ca.blm.gov)

Consultant

Angela Leiba, Senior Project Manager  
URS Corporation  
1615 Murray Canyon Road, Suite 1000  
San Diego, CA 92108  
[Angela\\_Leiba@urscorp.com](mailto:Angela_Leiba@urscorp.com)

CURE

c/o Tanya A. Gulesserian  
Marc D. Jopseph  
Adams, Broadwell, Joseph & Cardozo  
601 Gateway Blvd., Ste 1000  
South San Francisco, CA 94080  
[pfoley@adamsbroadwell.com](mailto:pfoley@adamsbroadwell.com)

Energy Commission

Jeffrey D. Byron  
Commissioner and Presiding Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

Julia Levin  
Commissioner and Associate Member  
[jlevin@energy.state.ca.us](mailto:jlevin@energy.state.ca.us)

Raoul Renaud  
Hearing Officer  
[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)

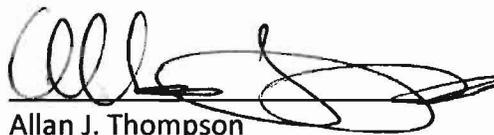
Jim Stobaugh  
National Project Manager  
Bureau of Land Management  
BLM Nevada State Office  
P. O. Box 12000  
Reno, NV 89520-0006  
[Jim\\_stobaugh@blm.gov](mailto:Jim_stobaugh@blm.gov)

Caryn Holmes  
Staff Counsel  
[cholmes@energy.state.ca.us](mailto:cholmes@energy.state.ca.us)

Christopher Meyer  
Project Manager  
[cmeyer@energy.state.ca.us](mailto:cmeyer@energy.state.ca.us)

Public Advisor  
[PAO@energy.state.ca.us](mailto:PAO@energy.state.ca.us)

April 24, 2009



Allan J. Thompson  
21 "C" Orinda Way, #314  
Orinda, CA 94563

One of Counsel  
SES Solar Two Project