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08-AFC-5	
DATE	MAY 13 2010
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From: Raoul Renaud
To: allanori@comcast.net; almamaghani@aol.com; Angela_Leiba@urscorp.com; ...
Date: 5/13/2010 10:56 AM
Subject: Re: 08-AFC-5 Imperial Valley Solar, LLC CURE's Notice Regarding CURE's Opening Testimony

Dear Ms.Miles:

The Committee has received your May 10, 2010 letter in which you indicate that CURE will not be filing any opening testimony on Water Resources. The Committee has also received Applicant's letter in response, dated May 12.

The Evidentiary Hearing Order in this case called for opening testimony on the "remaining topics," including Water, to be filed by May 10, 2010. As you know from our telephone conversation regarding the schedule for filing testimony, Opening Testimony would be CURE's affirmative presentation of its own evidence on a given topic.

What you describe in your letter, however, is not Opening Testimony. It is Rebuttal Testimony, i.e. testimony in response to the submissions of other parties. Per the Order, that testimony is not due until May 17, 2010.

Applicant correctly points out in the May 12 letter that a good deal of information on the alternative water supply has been available for some time, and its May 6, 2010 information, although filed after Applicant stated it would be filed, is neither lengthy nor complex. Furthermore, Applicant timely filed its opening testimony on Water on May 10, as required by the schedule. CURE has the same amount of time as the other parties to file any rebuttal to it.

I trust this alleviates your concerns. The Committee is looking forward to CURE's May 17 filing of its rebuttal testimony.

Raoul Renaud

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>>> Carol Horton <CHorton@adamsbroadwell.com> 5/10/2010 4:55 PM >>>
Attached in pdf format is California Unions for Reliable Energy's Notice Regarding CURE's Opening Testimony and the cover letter to the docket office. The requisite hard copies will be sent via U.S. Mail. If you encounter problems with the receipt of this document, please contact Carol N. Horton at the phone or email address listed below.

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