

650 Town Center Drive, 20th Floor
Costa Mesa, California 92626-1925
Tel: +1.714.540.1235 Fax: +1.714.755.8290
www.lw.com

LATHAM & WATKINS LLP

FIRM / AFFILIATE OFFICES

Abu Dhabi	Munich
Barcelona	New Jersey
Brussels	New York
Chicago	Northern Virginia
Doha	Orange County
Dubai	Paris
Frankfurt	Rome
Hamburg	San Diego
Hong Kong	San Francisco
London	Shanghai
Los Angeles	Silicon Valley
Madrid	Singapore
Milan	Tokyo
Moscow	Washington, D.C.

February 5, 2009

File No. 039610-0003

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-9
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

DOCKET	
08-AFC-9	
DATE	<u>FEB 05 2009</u>
RECD.	<u>FEB 05 2009</u>

Re: City of Palmdale Hybrid Power Plant Project: Docket No. 08-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 Second Extension of 30-Day Deadline Pursuant to Title 20, California Code of Regulations, Section 1716(g).

Please note that the enclosed submittal was filed today via electronic mail to your attention and to all parties on the attached electronic proof of service list.

Very truly yours,


Paul E. Kihm
Senior Paralegal

Enclosure

cc: 08-AFC-9 Proof of Service List (w/encl. via e-mail)
Michael J. Carroll, Esq. (w/encl.)

Michael J. Carroll
Marc T. Campopiano
LATHAM & WATKINS LLP
650 Town Center Drive, Suite 2000
Costa Mesa, CA 92626
(714) 540-1235

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:) Docket No. 08-AFC-09
)
APPLICATION FOR CERTIFICATION,)
FOR THE PALMDALE HYBRID POWER) SECOND EXTENSION OF DEADLINE
PROJECT BY THE CITY OF PALMDALE) PURSUANT TO TITLE 20, CALIFORNIA
) CODE OF REGULATIONS, SECTION
) 1716(g)
)
_____)

The Applicant for the Palmdale Hybrid Power Plant (PHPP) (08-AFC-9) made a timely objection on December 30, 2008 to Data Requests 22, 23, 24, 25, 86 and 87 from the Energy Commission Staff's Data Request Set 1 (#1-88). Staff and the Applicant are engaged in discussions regarding the scope of the referenced Data Requests in an effort to resolve Applicant's objections. On January 27, 2009, the Applicant agreed to extend the deadline for filing a motion to compel pursuant to California Code of Regulations Section 1716(g) until February 6, 2009. In order to provide more time to reach resolution, Applicant hereby agrees to a second extension of the deadline until February 27, 2009.

DATED: February 5, 2009

Respectfully submitted,

/S/ MARC T. CAMPOPIANO

Marc T. Campopiano
LATHAM & WATKINS LLP
Counsel to Applicant

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

In the Matter of:)	Docket No. 08-AFC-9
)	
Application for Certification,)	ELECTRONIC PROOF OF SERVICE
for the CITY OF PALMDALE HYBRID)	LIST
POWER PLANT PROJECT)	
)	(Revised August 4, 2008)
_____)	

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. 08-AFC-9
1516 Ninth Street, MS-15
Sacramento, California 95814-5512
docket@energy.state.ca.us

Transmission via electronic mail addressed to the following:

APPLICANT

Thomas M. Barnett
Executive Vice President
Inland Energy, Inc.
3501 Jamboree Road
South Tower, Suite 606
Newport Beach, CA 92660
tbarnett@inlandenergy.com

Antonio D. Penna Jr.
Vice President
Inland Energy
4390 Civic Drive
Victorville, CA 92392
tonypenna@inlandenergy.com

PALMDALE HYBRID POWER PROJECT
CEC Docket No. 08-AFC-09

Laurie Lile

Assistant City Manager
City of Palmdale
38300 North Sierra Highway, Suite A
Palmdale, CA 93550
llile@cityofpalmdale.org

APPLICANT'S CONSULTANTS

Sara Head

Vice President
ENSR Corporation
1220 Avenida Acaso
Camarillo, CA 93012
SHead@ensr.aecom.com

INTERESTED AGENCIES

California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

ENERGY COMMISSION

Jackalyne Pfannenstiel

Chairman and Presiding Member
jpfannen@energy.state.ca.us

Arthur H. Rosenfeld

Commissioner and Associate Member
pflint@energy.state.ca.us

Paul Kramer

Hearing Officer
pkramer@energy.state.ca.us

John Kessler

Project Manager
JKessler@energy.state.ca.us

Caryn Holmes

Staff Counsel
CHolmes@energy.state.ca.us

PALMDALE HYBRID POWER PROJECT
CEC Docket No. 08-AFC-09

Elena Miller
Public Adviser
Publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Paul Kihm, declare that on February 5, 2009, I deposited a copy of the attached:

**SECOND EXTENSION OF 30-DAY DEADLINE PURSUANT TO TITLE 20,
CALIFORNIA CODE OF REGULATIONS, SECTION 1716(g)**

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 February 5, 2009, at Costa Mesa, California.



Paul Kihm