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DOCKET
08-AFC-9

DATE	DEC 14 2010
RECD.	DEC 14 2010

December 14, 2010

VIA FEDEX

File No. 039610-0003

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

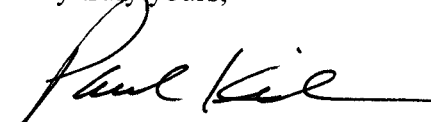
Re: City of Palmdale Hybrid Power Plant Project: Docket No. 08-AFC-9

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 Petition for Minor Modifications to Project Schedule.

Please note that the enclosed submittal was filed today via electronic mail to your attention and to all parties on the attached 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 and U.S. Mail)
Michael J. Carroll, Esq. (w/encl.)
Marc T. Campopiano, Esq. (w/encl.)

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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:)	Docket No. 08-AFC-9
)	
APPLICATION FOR CERTIFICATION,)	APPLICANT'S PETITION FOR MINOR
FOR THE PALMDALE HYBRID POWER)	MODIFICATIONS TO PROJECT
PROJECT BY THE CITY OF PALMDALE)	SCHEDULE
)	
)	

Pursuant to Title 20, California Code of Regulations, Section 1716.5, Applicant files this petition requesting minor modifications to the schedule issued by the Committee on November 6, 2010.

On November 6, 2010, the Committee issued a Committee Scheduling Order in this matter. The Applicant appreciates the establishment of firm dates for completion of these proceedings. According to the schedule issued by the Committee, Staff is to file a complete Final Staff Assessment (FSA) by December 20, 2010. While Staff is providing FSA sections to the Applicant as they become available, which Applicant appreciates, it appears that the most critical sections of the FSA will not be available until close to, or on, the December 20, 2010 deadline. The current schedule requires Applicant to file its testimony by January 5, 2011. Thus, the period for Applicant to review the FSA, and prepare and file its testimony, coincides with the Christmas and New Year holidays and associated vacations.

In order to provide Applicant adequate time to review the complete FSA, and prepare and file its testimony, Applicant is requesting minor modifications to the schedule, to allow one additional week for Applicant to complete its analysis and testimony. The proposed changes in the schedule only slightly shorten the period between the filing of rebuttal testimony and prehearing conference statements (from 7 days to 3 days), and the period between filing of prehearing conference statements and the prehearing conference (from 8 days to 6 days). The proposed changes do not affect any scheduled hearing dates. Applicant has discussed these proposed changes with CEC Staff, and Staff has indicated that it is not opposed to the changes.

In addition, Staff has indicated a desire to modify the deadlines for the filing of opening briefs from February 9, 2011 to February 16, 2011, and reply briefs from February 16, 2011 to February 23, 2011. Applicant does not object to these modifications to the schedule.

In summary, the modifications proposed by Applicant and Staff are as follows:


EVENT	DATE	INTERVAL
Staff files Complete Final Staff Assessment (FSA) including Alternative Transmission Routes	12/20/10	0
Last Day to Petition to Intervene	12/28/10	30 days prior to Evidentiary Hearing
Applicant Files Testimony	1/ 5 <u>12</u> /11	16 <u>23</u> days after FSA filed
All Parties File Rebuttal Testimony	1/ 12 <u>19</u> /11	23 <u>30</u> days after FSA filed
All Parties File Prehearing Conference Statements	1/ 19 <u>21</u> /11	30 <u>32</u> days after FSA filed
Pre-Hearing Conference and Evidentiary Hearings	1/27/11 – 1/28/11	38 days after FSA filed
All Parties File Opening Briefs	2/ 9 <u>16</u> /11	13 <u>20</u> days after Evidentiary Hearings
All Parties File Reply Briefs	2/ 16 <u>23</u> /11	20 <u>27</u> days after Evidentiary Hearings
Presiding Members Proposed Decision (PMPD)	3/23/11	55 days after Evidentiary Hearings
Committee Hearing on PMPD	4/13/11	21 days after PMPD files
Close of public comment period on PMPD	4/22/11	30 days after PMPD files
Addendum/Revised PMPD (if necessary)	TBD*	TBD
Final Adoption Hearing	TBD	TBD

* TBD: to be determined

Applicant requests that the Committee issue a revised Scheduling Order consistent with the foregoing.

DATED: December 14, 2010

Respectfully submitted,


 Michael J. Carroll
 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,) **PROOF OF SERVICE**
for the CITY OF PALMDALE HYBRID)
POWER PLANT PROJECT) (Revised October 6, 2010)
)
_____)

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PALMDALE HYBRID POWER PROJECT

CEC Docket No. 08-AFC-09

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

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

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

DECLARATION OF SERVICE

I, Paul Kihm, declare that on December 14, 2010, I served and filed copies of the attached:

**APPLICANT'S PETITION FOR MINOR MODIFICATIONS TO PROJECT
SCHEDULE**

to all parties identified on the Proof of Service List above in the following manner:

California Energy Commission Docket Unit

- Transmission via electronic mail and by depositing a copy with FedEx overnight mail delivery service at Costa Mesa, California, with delivery fees thereon fully prepaid and addressed to the following:

CALIFORNIA ENERGY COMMISSION

Attn: DOCKET NO. 08-AFC-09
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
docket@energy.state.ca.us

For Service to All Other Parties

- Transmission via electronic mail to all email addresses on the Proof of Service list; and
- by depositing one paper copy with the United States Postal Service via first-class mail at Costa Mesa, California, with postage fees thereon fully prepaid and addressed as provided on the Proof of Service list to those addresses **NOT** marked "email preferred."

I further declare that transmission via electronic mail and U.S. Mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 14, 2010, at Costa Mesa, California.



Paul Kihm