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September 2, 2009

<b>DOCKET</b>	
<b>09-AFC-2</b>	
<b>DATE</b>	<u>9/2/2009</u>
<b>RECD.</b>	<u>9/2/2009</u>

Commissioner Julia Levin, Presiding Member  
Chairman Karen Douglas, Associate Member  
Almond 2 Peaking Power Plant Project (09-AFC-02)  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Re: Almond 2 Peaking Power Plant Project (09-AFC-02): Notice Pursuant to 20 CCR  
1716(f): Data Requests 1 through 84

Dear Commissioners Levin and Douglas:

Turlock Irrigation District (the "Applicant") hereby files this notice as required by Section 1716(f) of the Commission's regulations regarding the need for additional time and the basis for objections to certain Data Requests promulgated by Staff on August 13, 2009.

Applicant may need additional time to respond to certain Data Requests. Several Data Requests are for plans that require the Applicant to coordinate with other entities such as Pacific Gas & Electric ("PG&E") and the City of Ceres. PG&E is still finalizing the improvements to the PG&E system necessary to serve the project. This affects the Applicant's ability to respond by September 11<sup>th</sup> to data requests pertaining to the natural gas pipeline route. Similarly, since the State Water Resources Control Board is about to adopt new regulations related to Storm Water Pollution Prevention Plans ("SWPPP") for construction projects, the draft SWPPP requested by Staff will be prepared and submitted once those regulations are approved. Finally, as described in our Status Report Number 1, we have resolved issues related to the exchange of confidential information with the CAISO, and the System Impact Study ("SIS") for the A2PP, and the SIS is well underway. Based on the foregoing, the Applicant estimates that it may need an additional 30 days for the following requests: Data Request 18, 19, 68, 72, 77, 78, and 79.

Applicant objects to Data Requests 38 and 53. Applicant objects to Data Request 38 because it calls for computer modeling information that is not reasonably available to the Applicant and would be burdensome to produce. Data Request 53 calls for the Applicant to speculate about future Central Valley Regional Water Quality Control Board regulations. Applicant objects to Data Request 53 because the information is not reasonably available to the Applicant and thus calls for speculation. Without waiving any of these objections, Applicant

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reserves the right to provide responses, in whole or in part, to some or all of these Requests. Moreover, Applicant believes that discussions with Staff and interested parties at the workshop, which is being scheduled for September 22<sup>th</sup>, 2009, may make these objections irrelevant if we are able to reach agreement with Staff on meeting their informational needs.

Applicant appreciates the good-faith efforts of Staff, and Applicant has, as its objective, the complete and satisfactory resolution of all issues.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Jeffery D. Harris". The signature is written in a cursive style and is positioned above a horizontal line.

Jeffery D. Harris  
Brian S. Biering  
Ellison, Schneider & Harris L.L.P.

Attorneys for Turlock Irrigation District

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

Application for Certification for the )  
TID ALMOND 2 Power Plant Project ) Docket No. 09-AFC-2  
 )  
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**PROOF OF SERVICE**

I, Karen A. Mitchell, declare that on September 2, 2009, I served the attached *Notice of Need for Additional Time and Objections to Data Requests* via electronic and U.S. mail to all parties on the attached service list.

I declare under the penalty of perjury that the foregoing is true and correct.



\_\_\_\_\_  
Karen A. Mitchell

**SERVICE LIST**  
**09-AFC-2**

**APPLICANT**

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**INTERVENORS**

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