

Docket Optical System - RE: Document Request.

From: Jeffery Harris <JDH@eslawfirm.com>
To: Craig Hoffman <CHoffman@energy.state.ca.us>, Jennifer Jennings <JJenning@energy.state.ca.us>, Jass Singh <jass.singh2000@gmail.com>
Date: 1/13/2011 2:49 PM
Subject: RE: Document Request.
CC: "sarveybob@aol.com" <sarveybob@aol.com>, "e-recipient@caiso.com" <e-recipient@caiso.com>, "Doug.Urry@ch2m.com" <Doug.Urry@ch2m.com>, "b.buchynsky@dgc-us.com" <b.buchynsky@dgc-us.com>, Docket Optical System <Docket@energy.state.ca.us>, Jeff Byron <Jbyron@energy.state.ca.us>, KenCelli <Kcelli@energy.state.ca.us>, Kristy Chew <Kchew@energy.state.ca.us>, Kerry Willis <Kwillis@energy.state.ca.us>, Public Adviser's Office <Pao@energy.state.ca.us>, Robert Weisenmiller <RWeisenm@energy.state.ca.us>, "Greggory L. Wheatland" <glw@eslawfirm.com>, "dighe.rajesh@gmail.com" <dighe.rajesh@gmail.com>, ANDREW WILSON III <andy_psi@sbcglobal.net>, MorganGroover <mgroover@sjgov.org>, Chris Curry <c.curry@dgc-us.com>, "Deric J. Wittenborn" <djwt@eslawfirm.com>, "Stephanie.Moore@CH2M.com" <Stephanie.Moore@CH2M.com>, Samantha Pottenger <sgp@eslawfirm.com>

DOCKET**09-AFC-3**

DATE JAN 13 2011

RECD. JAN 13 2011

As set forth below, Applicant objects; however, notwithstanding its continuing objection, Applicant offers to provide Mr. Singh with some assistance in finding the materials he seeks in the record.

Applicant objects. Mr. Hoffman is correct. The Discovery period for this proceeding has long since closed. Further, Mr. Singh agreed to take on the rights, duties, and responsibilities of a party when he was granted Intervenor status pursuant to the Commission's Regulations. Section 1712(a) of the Commission's Regulations provides, in pertinent part, that "No person who becomes a party shall be permitted to *reopen matters or reopen discovery* dealt with in the proceeding prior to the time when such person became a party, without a showing of good cause." (Emphasis added.) In addition to being untimely, there has been no showing of good cause, and in accepting the rights, duties, and responsibilities of a party, Mr. Singh expressly agreed to not seek to reopen discovery or reopen matters already dealt with in this proceeding.

The Applicant is prepared to file a more formal opposition, if the Committee deems necessary, providing specificity to those requests that may be irrelevant, burdensome, vague, privileged, confidential, proprietary, trade secrets, or otherwise not subject to production. However, in the interest of not wasting the time or resources of the parties, the request for late-filed Discovery should be denied before the Applicant's formal objection is due.

Without waiving these objections, the Applicant, on its own initiative and without further obligation, will provide the following assistance.

First, Mr. Hoffman correctly identified the portion of the record where Mr. Singh's questions, to the extent they are relevant, may be answered. Without any representations or warranties, Applicant will supplement Mr. Hoffman's response, if necessary; however, Mr. Singh is on notice that Applicant's cooperation is not a substitute for, or in lieu, of Mr. Singh's own obligation to review of the record of this proceeding.

Second, Applicant's representative, Mr. Chris Curry, will also make himself available to speak with Mr.

Singh, if Mr. Singh so desires.

We will docket this email. Thank you.

Jeffery D. Harris
Ellison, Schneider & Harris L.L.P.
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816
(916) 447-2166
mailto:jdh@eslawfirm.com
www.eslawfirm.com

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-----Original Message-----

From: Craig Hoffman [mailto:CHoffman@energy.state.ca.us]

Sent: Tuesday, January 11, 2011 9:34 AM

To: Jennifer Jennings; Jass Singh

Cc: sarveybob@aol.com; e-recipient@caiso.com; Doug.Urry@ch2m.com; b.buchynsky@dgc-us.com;

Docket Optical System; Jeff Byron; Ken Celli; Kristy Chew; Kerry Willis; Public Adviser's Office;

Robert Weisenmiller; Gregory L. Wheatland; Jeffery Harris; dighe.rajesh@gmail.com; ANDREW

WILSON III; Morgan Groover

Subject: Re: Document Request.

Dear Mr. Singh,

I wanted to clear up any confusion or questions regarding your data requests sent yesterday. You addressed your data requests to Energy Commission Staff, yet you indicate in your e-mail that the requests are for the applicant. If the requests are of the applicant, the letter should be addressed to the Mariposa applicant directly as Staff does not speak on behalf of the applicant or provide information on behalf of the applicant.

If the data requests are to Staff, Staff objects to your requests pursuant to Title 20, California Code of Regulations, section 1716(c), which limits data requests to 180 days after the Commission accepts the Application for Certification (AFC) as data adequate, unless good cause is shown. The Commission found the AFC data adequate on August 26, 2009 and, therefore, the 180 day period ended on February 22, 2010.

However, without waiving Staff's objection, the majority of your questions can be answered in the Mariposa Energy Project AFC - Socioeconomics section 5.10. Page 5.10-14 to page 5.10-21 provides the discussion and analysis relating to your request. Data Request 1, 5 and 6 can only be provided by the applicant. Staff does not possess this information.

I hope this helps with your questions.

Please let me know if you have other concerns.

Craig Hoffman
Project Manager
California Energy Commission
Siting, Transmission and Environmental Protection Division
1516 Ninth Street, MS 15
Sacramento, CA 95814
phone: 916-654-4781
cell: 916-261-6405
fax: 916-654-3882

>>> Jass Singh <jass.singh2000@gmail.com> 1/10/2011 10:38 PM >>>

Dear Mr. Craig,

Find attached letter for document request from the applicant.

Sincerely,

Jass
408-828-1788