

March 8, 2011

382914

Mr. Craig Hoffman Project Manager California Energy Commission 1516 Ninth Street, MS 15 Sacramento, CA 95814-5512 CH2M HILL 2485 Natomas Park Drive Suite 600 Sacramento, CA 95833 Tel 916-920-0300 Fax 916-920-8463



Subject: Mariposa Energy Project (09-AFC-03) FAA Determination of No Hazard Extensions, Exhibit 73

Dear Mr. Hoffman:

Attached please find one hard copy and one electronic copy on CD-ROM of the Mariposa Energy Project's FAA Determination of No Hazard Extensions, Exhibit 73. As discussed at the Evidentiary Hearings on March 7, 2011, the FAA Determination of No Hazard Extentions are being submitted as Exhibit 73. The attached documents extend the original FAA Determinations of No Hazard until September 4, 2012.

If you have any questions about this matter, please contact me at (916) 286-0348.

Sincerely, CH2M HILL

Voulas V

Doug Urry AFC Project Manager

Attachment cc: B. Buchynsky, Mariposa Energy, LLC. C. Curry, Mariposa Energy, LLC.



Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Stack Power Plant Exhaust Stack 1
Location:	Byron, CA
Latitude:	37-47-16.81N NAD 83
Longitude:	121-36-06.43W
Heights:	80 feet above ground level (AGL)
	206 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-2565-OE.

Signature Control No: 635621-138224371 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-2565-OE

Additional information for ASN 2009-AWP-2565-OE

Case Description for ASN 2009-AWP-2565-OE

The MEP will be a nominal 200-MW peaking facility consisting of 4 GE Energy LM6000 PC Sprint natural gas-fired combustion turbine generators & associated equipment. The tops of the exhaust stacks & power poles will be less than 100 feet agl.





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Stack Power Plant Exhaust Stack 2
Location:	Byron, CA
Latitude:	37-47-18.26N NAD 83
Longitude:	121-36-05.79W
Heights:	80 feet above ground level (AGL)
	206 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

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If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-2566-OE.

Signature Control No: 635622-138224373 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-2566-OE

Additional information for ASN 2009-AWP-2566-OE

Case Description for ASN 2009-AWP-2566-OE

The MEP will be a nominal 200-MW peaking facility consisting of 4 GE Energy LM6000 PC Sprint natural gas-fired combustion turbine generators & associated equipment. The tops of the exhaust stacks & power poles will be less than 100 feet agl.





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Stack Power Plant Exhaust Stack 3
Location:	Byron, CA
Latitude:	37-47-20.23N NAD 83
Longitude:	121-36-04.92W
Heights:	80 feet above ground level (AGL)
	205 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

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If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-2567-OE.

Signature Control No: 635623-138224374 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-2567-OE

Additional information for ASN 2009-AWP-2567-OE

Case Description for ASN 2009-AWP-2567-OE

The MEP will be a nominal 200-MW peaking facility consisting of 4 GE Energy LM6000 PC Sprint natural gas-fired combustion turbine generators & associated equipment. The tops of the exhaust stacks & power poles will be less than 100 feet agl.

Verified Map for ASN 2009-AWP-2567-OE





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Stack Power Plant Exhaust Stack 4
Location:	Byron, CA
Latitude:	37-47-21.66N NAD 83
Longitude:	121-36-04.28W
Heights:	80 feet above ground level (AGL)
	205 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

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If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-2568-OE.

Signature Control No: 635624-138224372 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-2568-OE

Additional information for ASN 2009-AWP-2568-OE

Case Description for ASN 2009-AWP-2568-OE

The MEP will be a nominal 200-MW peaking facility consisting of 4 GE Energy LM6000 PC Sprint natural gas-fired combustion turbine generators & associated equipment. The tops of the exhaust stacks & power poles will be less than 100 feet agl.

Verified Map for ASN 2009-AWP-2568-OE





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line Transmission Line Pole 1
Location:	Byron, CA
Latitude:	37-47-27.01N NAD 83
Longitude:	121-36-02.43W
Heights:	95 feet above ground level (AGL)
	210 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

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If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-2569-OE.

Signature Control No: 635625-138224375 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-2569-OE

Additional information for ASN 2009-AWP-2569-OE

Case Description for ASN 2009-AWP-2569-OE

The MEP will be a nominal 200-MW peaking facility consisting of 4 GE Energy LM6000 PC Sprint natural gas-fired combustion turbine generators & associated equipment. The tops of the exhaust stacks & power poles will be less than 100 feet agl.

Verified Map for ASN 2009-AWP-2569-OE





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line Transmission Line Pole 2
Location:	Byron, CA
Latitude:	37-47-29.66N NAD 83
Longitude:	121-35-56.96W
Heights:	95 feet above ground level (AGL)
	192 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

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If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-3943-OE.

Signature Control No: 649446-138224354 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-3943-OE

Additional information for ASN 2009-AWP-3943-OE

Case Description for ASN 2009-AWP-3943-OE

The MEP will be a nominal 200-MW peaking facility consisting of 4 GE Energy LM6000 PC Sprint natural gas-fired combustion turbine generators & associated equipment. The tops of the exhaust stacks & power poles will be less than 100 feet agl





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line Transmission Line Pole 3
Location:	Byron, CA
Latitude:	37-47-36.62N NAD 83
Longitude:	121-36-00.29W
Heights:	95 feet above ground level (AGL)
	190 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-3944-OE.

Signature Control No: 649447-138224359 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-3944-OE

Additional information for ASN 2009-AWP-3944-OE

Case Description for ASN 2009-AWP-3944-OE

The MEP will be a nominal 200-MW peaking facility consisting of 4 GE Energy LM6000 PC Sprint natural gas-fired combustion turbine generators & associated equipment. The tops of the exhaust stacks & power poles will be less than 100 feet agl.




Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line Transmission Line Pole 4
Location:	Byron, CA
Latitude:	37-47-43.49N NAD 83
Longitude:	121-36-03.84W
Heights:	95 feet above ground level (AGL)
	185 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-3945-OE.

Signature Control No: 649448-138224353 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-3945-OE

(EXT)

Additional information for ASN 2009-AWP-3945-OE

Case Description for ASN 2009-AWP-3945-OE





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line Transmission Line Pole 5
Location:	Byron, CA
Latitude:	37-47-52.51N NAD 83
Longitude:	121-36-03.91W
Heights:	95 feet above ground level (AGL)
	185 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-3946-OE.

Signature Control No: 649449-138224357 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-3946-OE

(EXT)

Additional information for ASN 2009-AWP-3946-OE

Case Description for ASN 2009-AWP-3946-OE





Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line Transmission Line Pole 6
Location:	Byron, CA
Latitude:	37-47-52.47N NAD 83
Longitude:	121-36-11.29W
Heights:	95 feet above ground level (AGL)
	190 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-3947-OE.

Signature Control No: 649450-138224356 Karen McDonald Specialist

Attachment(s) Additional Information Case Description Aeronautical Study No. 2009-AWP-3947-OE

(EXT)

Additional information for ASN 2009-AWP-3947-OE

Case Description for ASN 2009-AWP-3947-OE







Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line West Transmission Line Pole 1 - South
Location:	Byron, CA
Latitude:	37-47-24.45N NAD 83
Longitude:	121-36-07.19W
Heights:	84 feet above ground level (AGL)
	209 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-3948-OE.

Signature Control No: 649451-138224358 Karen McDonald Specialist

Attachment(s) Additional Information Case Description (EXT)

Additional information for ASN 2009-AWP-3948-OE

Case Description for ASN 2009-AWP-3948-OE







Issued Date: 03/04/2011

Bo Buchynsky Mariposa Energy, LLC. 333 South Grand Avenue Suite 1570 Los Angeles, CA 90071

** Extension **

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Transmission Line West Transmission Line Pole 2 - North
Location:	Byron, CA
Latitude:	37-47-26.17N NAD 83
Longitude:	121-36-06.41W
Heights:	84 feet above ground level (AGL)
	209 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 09/04/2012 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-AWP-3949-OE.

Signature Control No: 649452-138224355 Karen McDonald Specialist

Attachment(s) Additional Information Case Description (EXT)

Additional information for ASN 2009-AWP-3949-OE

Case Description for ASN 2009-AWP-3949-OE





BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA 1516 NINTH STREET, SACRAMENTO, CA 95814 1-800-822-6228 – <u>WWW.ENERGY.CA.GOV</u>

APPLICATION FOR CERTIFICATION FOR THE MARIPOSA ENERGY PROJECT (MEP)

APPLICANT

Bo Buchynsky Diamond Generating Corporation 333 South Grand Avenue, #1570 Los Angeles, California 90071 b.buchynsky@dgc-us.com

APPLICANT'S CONSULTANTS

Doug Urry 2485 Natomas Park Dr #600 Sacramento, CA 95833-2975 Doug.Urry@CH2M.com

COUNSEL FOR APPLICANT

Gregg Wheatland Ellison, Schneider & Harris L.L.P. 2600 Capitol Avenue, Suite 400 Sacramento, CA 95816-5905 glw@eslawfirm.com

INTERESTED AGENCIES

California ISO *E-mail Service Preferred* <u>e-recipient@caiso.com</u>

INTERVENORS

Mr. Robert Sarvey 501 W. Grantline Road Tracy, California 95376 Sarveybob@aol.com Edward A. Mainland Sierra Club California 1017 Bel Marin Keys Blvd. Novato, CA 94949 emainland@comcast.net

Rob Simpson 27126 Grandview Avenue Hayward CA. 94542 Rob@redwoodrob.com

California Pilots Association c/o Andy Wilson 31438 Greenbrier Lane Hayward, CA 94544 andy_psi@sbcqlobal.net

Rajesh Dighe 395 W. Conejo Avenue Mountain House, California 95391 <u>dighe.rajesh@gmail.com</u>

Morgan K. Groover Development Director Mountain House Community Services District 230 S. Sterling Drive, Suite 100 Mountain House, CA 95391 mgroover@sjgov.org

Mr. Jass Singh 291 N. Altadena Street Mountain House, California 95391 jass.singh2000@gmail.com

Docket No. 09-AFC-3

PROOF OF SERVICE (Revised 2/25/2011)

ENERGY COMMISSION

*KAREN DOUGLAS Commissioner and Presiding Member KLdougla@energy.state.ca.us

*JEFFREY D. BYRON Commissioner and Associate Member jbyron@energy.state.ca.us

Kenneth Celli Hearing Officer kcelli@energy.state.ca.us

*Galen Lemei Advisor to Commissioner Douglas *E-Mail Service preferred* <u>glemei@energy.state.ca.us</u>

Craig Hoffman Siting Project Manager choffman@energy.state.ca.us

Kerry Willis Staff Counsel <u>kwillis@energy.state.ca.us</u>

Jennifer Jennings Public Adviser *E-mail Service Preferred* <u>publicadviser@energy.state.ca.us</u>

DECLARATION OF SERVICE

I, <u>Stephanie Moore</u>, declare that on <u>March 8, 2011</u>, I served and filed copies of the attached <u>MEP FAA Determination</u> <u>of No Hazard Extensions</u>, <u>Exhibit 73</u> dated <u>March 3, 2011</u>. The original document, filed with the Docket Unit, are accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [http://www.energy.ca.gov/sitingcases/mariposa/index.html]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

- X sent electronically to all email addresses on the Proof of Service list;
- _____ by personal delivery;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

X sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION Attn: Docket No. 09-AFC-3 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512 docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Stephanie Moore