

DOCKETED

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Project Title:	Avenal Energy Project-Compliance
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June 26, 2015

SENT VIA ELECTRONIC MAIL (ARNAUD.MARJOLLET@VALLEYAIR.ORG)

Arnaud Marjollet
Director of Permit Services
San Joaquin Valley Air Pollution Control District
Central Region
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244

Re: Determination of Compliance for the Avenal Power Center LLC
Project Number: C-1080386; Avenal Power Center LLC (08-AFC-01)
Project Number: C-1100751; Avenal Power Center LLC (08-AFC-01C)

Dear Mr. Marjollet:

Avenal Power Center, LLC ("Avenal") is writing to inform you that it has decided to allow the license granted by the California Energy Commission ("Energy Commission") to build and operate the Avenal Power Center project (the "Project") to expire on September 16, 2015. The San Joaquin Valley Air Pollution Control District ("District") issued a Final Determination of Compliance for the Project on November 4, 2008 and an alternative Final Determination of Compliance for operation as a minor source on December 17, 2010 (both Final Determinations of Compliance referred to as "FDOCs"). On December 10, 2014, the Energy Commission granted Avenal additional time to evaluate the options for the Project and extended the expiration of the license from December 16, 2014 to September 16, 2015. (Order Approving a Petition to Extend the Deadline for Commencement of Construction, Order No. 14-1210-6.) The additional time granted by the Energy Commission allowed Avenal to conduct a deliberate consideration of the value of the interconnection and site location, and the current energy needs for the energy markets in California and the western states. All of the options Avenal is pursuing for the next generation of the Project differ substantially from the Project permitted by the Energy Commission in December of 2009 and analyzed by the District in both FDOCs.

Therefore, Avenal has notified the Energy Commission of its intent to allow the Energy Commission license for this Project to expire (see attached letter). Consistent with District

policy and practice the FDOCs are only valid as long as the license is active. Thus, Avenal intends and expects that both FDOCs will expire along with the Energy Commission license on September 16, 2015. Should you have any questions or need additional information please do not hesitate to contact me.

Sincerely,

DAY CARTER & MURPHY LLP

A handwritten signature in cursive script, reading "Jane E. Luckhardt".

Jane E. Luckhardt

JEL/bt

Attachment

cc: Jim Swaney, San Joaquin Valley Air Pollution Control District
California Energy Commission, Docket No. 08-AFC-01C
Camille Remy-Obad, California Energy Commission