

DOCKETED

Docket Number:	15-AFC-02
Project Title:	Mission Rock Energy Center
TN #:	223129
Document Title:	Memorandum from Hearing Officer regarding Extension of Comment Period on Motion to Terminate
Description:	Comments on Applicant's request are requested by April 5, 2018
Filer:	Susan Cochran
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	4/3/2018 4:53:57 PM
Docketed Date:	4/3/2018

Memorandum

To: All Parties and Persons Interested in the Mission Rock Energy Center Proceedings (15-AFC-02) Date: April 3, 2018

From: Susan Burns Cochran, Hearing Officer
Mission Rock Energy Center AFC Committee
(916) 654-3965
Susan.Cochran@energy.ca.gov

Subject: **REQUEST FROM APPLICANT FOR EXTENSION OF TIME TO RESPOND TO MOTION TO TERMINATE**

On March 30, 2018, the Presiding Member filed an “Order Extending Time to Rule on Notice of Suspension and Motion to Terminate” (March 30 Order).¹ The March 30 Order included a deadline to file responses to the Motion to Terminate no later than April 9, 2018.

On April 2, 2018, the Applicant sent the attached e-mail to the Hearing Officer requesting a continuance of the filing date to April 13, 2018.

The parties, public agencies, and members of the public are requested to submit any responses to the request to continue the deadline from the March 30 Order by April 5, 2018, or earlier.

The parties are required to submit their responses electronically using the Energy Commission’s e-filing system. Public agencies and members of the public may submit comments via:

- the Energy Commission e-commenting system, which can be found at <https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=15-AFC-02>,
- e-mail, send to docket@energy.ca.gov, or
- U.S. Mail, send to

California Energy Commission - Docket Unit
Docket No. 15-AFC-02
1516 Ninth Street, MS-4
Sacramento, CA 95814

For all comments, please include the docket number and proceeding name (“15-AFC-02 Mission Rock Energy Center”) in the subject line and on the cover page.

¹ TN 223009.

PLEASE NOTE: Written and oral comments, attachments, and associated contact information (e.g., your address, phone, e-mail, etc.) become part of the viewable public record. Additionally, this information may become available via search engines, such as Google and Yahoo.

From: [Cochran, Susan@Energy](mailto:Cochran.Susan@Energy)
To: "Jeffery Harris"
Cc: [Samantha Neumyer](mailto:Samantha.Neumyer)
Subject: RE: Procedural Matter
Date: Tuesday, April 03, 2018 2:36:00 PM
Attachments: [image001.png](#)

Dear Mr. Harris:

As you may or may not know, legal limitations on ex-parte communications may prohibit you from making an off-the-record communication to a decision maker such as me. While you have styled your request as a procedural matter which may be exempt from the ex-parte rules, I read the content of the e-mail as a likely ex-parte communication. In order to handle this matter, I will be filing this e-mail, along with your original, in the docket for the Mission Rock proceeding. I will then ask all parties—including Energy Commission staff and the intervenor, Wishtoyo Foundation—respond to your request if they choose to do so.

Very truly yours,

Susan Cochran
Hearing Officer II
Chief Counsel's Office
CALIFORNIA ENERGY COMMISSION
1516 9th Street
Sacramento, CA 95814
(916)654-3965

From: Jeffery Harris [mailto:JDH@eslawfirm.com]
Sent: Monday, April 02, 2018 2:50 PM
To: Cochran, Susan@Energy
Cc: Samantha Neumyer
Subject: Procedural Matter

Hearing Officer Cochran,

The Committee's *Order Extending Time To Rule On Notice Of Suspension And Motion To Terminate* (TN#: 223099) provides that responses to the Motion to Terminate should be filed no later than April 9, 2018.

Several members of the Applicant's team are unavailable this week due to the holidays and vacation schedules and are thus unable to assist in preparing the Applicant's response. Those team members are expected back early next week. Accordingly, the Applicant respectfully requests leave to file its response on or before Friday, April 13, 2018.

The Applicant reached out to the CEC Staff but was not able to reach CEC Staff counsel before sending this request. The Applicant would not object if CEC Staff's is also afforded the opportunity to file on or before Friday, April 13, 2018.

Thank you for consideration of this procedural matter.

Jeffery D. Harris

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