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July 2, 2007

File No. 039610-0001

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-1
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

DOCKET	
07-AFC-1	
DATE	JUL 02 2007
RECD.	JUL 02 2007

Re: Victorville 2 Hybrid Power Project: Docket No. 07-AFC-1

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find Applicant's Objections to California Unions for Reliable Energy Data Requests, Set One.

Please note that the enclosed submittal was filed today via electronic mail to your attention and to all parties on the CEC's current electronic proof of service list.

Very truly yours,



Paul E. Kihm
Senior Paralegal

Enclosure

cc: CEC 07-AFC-1 Proof of Service List (w/ encl. via e-mail)
Michael J. Carroll, Esq. (w/ encl.)

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:)	Docket No. 07-AFC-1
)	
Application for Certification,)	OBJECTIONS TO CALIFORNIA UNIONS
for the VICTORVILLE 2 HYBRID POWER)	FOR RELIABLE ENERGY DATA
PROJECT)	REQUESTS, SET ONE
by the City of Victorville, California.)	
)	

Pursuant to Title 20, California Code of Regulations, Section 1716(f), the City of Victorville, California ("Applicant") hereby objects to certain of California Unions for Reliable Energy ("CURE") Data Requests, Set One (Nos. 1 - 8).

Data Request No. 4 requests meteorological data presented in Appendix G.1 in electronic format. Applicant objects to providing the requested data on the grounds that it was acquired by Applicant at considerable expense, and making such data public significantly diminishes the value of Applicant's investment in the data. Furthermore, the requested data is voluminous, and providing it imposes an undue burden on the Applicant that is not warranted in light of the limited extent to which the data would contribute to one's ability to evaluate the proposed project.

Data Request Nos. 5 and 7 request that certain data be provided "in the form of unlocked Excel spreadsheets." While Applicant is not sure of the precise meaning of "unlocked" as that term is used in the Data Requests, Applicant objects to providing any data in a form that allows the data to be manipulated. To the extent that the Data Requests seek data in a form that allows the data to be manipulated, such requests go beyond information that is reasonably available to the Applicant and relevant to the application proceedings. Rather, they amount to a request for the tools necessary to allow the requesting party to create new information. Applicant is not obligated to provide requesting parties with the tools necessary to create new information. Applicant will provide the requested data in a password protected format, which will allow CURE, and others, to evaluate the data, but will not allow manipulation of the data.

Subject to the foregoing objections, Applicant will provide the requested information in electronic format on or before July 12, 2007.

DATED: July 2, 2007

Respectfully submitted,



Michael J. Carroll
of LATHAM & WATKINS LLP
Counsel to Applicant

**STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:) Docket No. 07-AFC-1
)
Application for Certification,)
for the VICTORVILLE 2) **ELECTRONIC PROOF OF SERVICE**
HYBRID POWER PROJECT) **LIST**
)
) (revised June 14, 2007)
)
_____)

Transmission via electronic mail and by depositing one original signed document with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the following:

DOCKET UNIT

CALIFORNIA ENERGY COMMISSION

Attn: DOCKET NO. 07-AFC-1
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
docket@energy.state.ca.us

Transmission via electronic mail addressed to the following:

APPLICANT

Jon B. Roberts
City Manager
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14343 Civic Drive
P.O. Box 5001
Victorville, CA 92393-5001
JRoberts@ci.victorville.ca.us

APPLICANT'S CONSULTANTS

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VICTORVILLE II HYBRID POWER PROJECT
CEC Docket No. 07-AFC-1

Sara Head
Environmental Manager
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1220 Avenida Acaso
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INTERESTED AGENCIES

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Sacramento, CA 95814
esaltmarsh@eob.ca.gov

INTERVENORS

California Unions for Reliable Energy (CURE)
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VICTORVILLE II HYBRID POWER PROJECT
CEC Docket No. 07-AFC-1

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DECLARATION OF SERVICE

I, Paul Kihm, declare that on July 2, 2007, I deposited the required original signed copy of the attached:

**OBJECTIONS TO CALIFORNIA UNIONS FOR RELIABLE ENERGY DATA REQUESTS,
SET ONE**

with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the California Energy Commission. I further declare that transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service List above.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 2, 2007, at Costa Mesa, California.



Paul Kihm