

# LIEBERT CASSIDY WHITMORE

A PROFESSIONAL LAW CORPORATION

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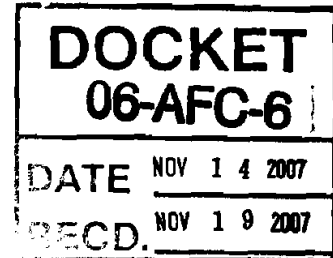
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November 14, 2007

## ATTORNEY WORK PRODUCT VIA REGULAR MAIL

Jeffrey D. Byron  
Commissioner and Presiding Member  
Eastshore AFC Committee  
California Energy Commission  
1516 Ninth Street, MS32  
Sacramento, CA 95814



Re: *Eastshore Energy Center (06-AFC-6) Pre-hearing Conference and Evidentiary Hearing*  
*Client-Matter: CH030-032*

Dear Commissioner Byron:

We are counsel to the Chabot Las Positas Community College District ("District") in the above matter. On behalf of the District we are forwarding to you this letter advising you that the District will be moving to intervene in this matter, and will have its petition filed by the November 19, 2007 deadline. The District is a governmental agency that oversees two colleges, the larger of which (15,000 students) is located in Hayward.

In the meantime, we respectfully request that the Eastshore AFC Committee continue the Pre-hearing Conference and Evidentiary Hearing in this matter, currently schedule for November 26 and December 17-18, 2007. We further request that the Committee extend the deadline for the District to file its pre-hearing conference statement.

As the Committee is aware, the Final Staff Assessment ("FSA") was only just completed and filed. The District has not had the opportunity to analyze the FSA and consider whether it raises any health and/or air quality issues for the community it serves. The Pre-hearing Conference Statement is intended to be a detailed statement that outlines, among other things, all topic areas of dispute. The District hesitates to assert areas of dispute until it has had the opportunity to review the FSA.

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Therefore, we join the County of Alameda in respectfully requesting an additional four weeks for the filing of the pre-hearing conference statement and the adjustment of the pre-hearing conference and evidentiary hearing dates accordingly.

Sincerely,

LIEBERT CASSIDY WHITMORE



Laura Schulkind

LS/em

cc: Commissioner John L. Geesman, MS-31  
Docket Unit, California Energy Commission, MS-4  
Eastshore AFC Proof of Service List  
Joel L. Kinnamon, Chancellor  
Andrew S. Massey, Associate County Counsel

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