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November 27, 2007

Jackalyne Pfannenstiel, Chair
James D. Boyd, Commissioner
California Energy Commission
1516 9th Street
Sacramento, CA 95814

DOCKET 07-AFC-4
DATE NOV 27 2007
RECD. NOV 27 2007

Re: Chula Vista Energy Upgrade Project, 07-AFC-4

Dear Commissioners Pfannenstiel and Boyd:

On behalf of MMC Energy Inc. I wish to inform you that our first notice of the City of Chula Vista's petition to intervene came with the Committee Order Granting Petition to Intervene ("Order"). We have many members of our team on the service list and on the list server for this project. We were surprised to receive the Order and immediately checked the California Energy Commission's website for this project. The petition to intervene was not yet on the website. Based upon the Order, the city of Chula Vista filed its petition to intervene on October 25, 2007.

We want to bring this situation to the attention of the Committee. We do not object to the intervention of Chula Vista in this proceeding. The city has an interest in this proceeding and may select the way in which it desires to participate. Nonetheless, we are concerned about not receiving notice prior to the Committee taking action on this item. We request that the Committee look into this matter as we find it highly unusual and would react differently if it occurred a second time.

Very truly yours,

DOWNEY BRAND LLP

Jane E. Luckhardt
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cc: Raoul Renaud, Hearing Officer
Docket Office
Service List, Docket No. 07-AFC-4