

STATE OF CALIFORNIA

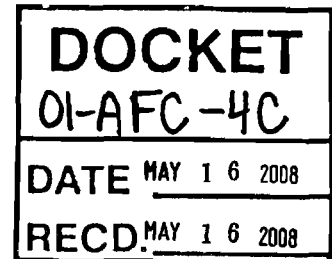
Energy Resources Conservation
and Development Commission

In the Matter of:

Application for Certification of the East Altamont
Energy Center, LLC

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) Docket No. 01-AFC-4C
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**PETITION FOR EXTENSION OF DEADLINE FOR COMMENCEMENT OF
CONSTRUCTION FOR THE EAST ALTAMONT ENERGY CENTER**



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1. Pursuant to Section 1720.3 of the California Energy Commission’s Rules of Practice and Procedure the East Altamont Energy Center, LLC (“Project Owner”) requests a three year extension of the deadline for the commencement of construction of the East Altamont Energy Center (“EAEC”). The Commission Decision for the East Altamont Energy Center was adopted on August 20, 2003. The current deadline for commencement of construction is August 19, 2008. The Project Owner requests an extension of the deadline for commencement of construction for the East Altamont Energy Center to August 19, 2011.

2. The requested extension is necessary because the Project Owner will not be able to commence construction by August 19, 2008. Prior to commencing construction, the Project Owner must enter into a long term power purchase agreement with at least one purchaser for a significant portion of the output of the facility. Since the project was permitted, the Project Owner has been marketing the power to investor owned and municipal utilities in the region. In the past, the Project Owner has participated in solicitations and intends to participate in the most

recent Pacific Gas and Electric Company (“PG&E”) 2008 All Source Long-Term Request for Offers solicitation. PG&E is seeking to procure 800-1200 MW of new resources, with a preference to obtain new dispatchable, operationally flexible resources with on-line dates no later than May 2015. The Project Owner believes that the EAEC is uniquely qualified to meet the terms of PG&E’s current solicitation and to meet the growing power needs of municipal utilities in the region..

3. The EAEC, as first licensed by the Commission, will continue to comply with all applicable laws, ordinances, regulations and standards and would not result in any significant adverse impact on the environment. By this Petition the Project Owner does not request any modification to the project design, operation or performance requirements as set forth in the Commission’s August 20, 2003 Final Decision, nor do we request any change in the conditions of certification set forth in the Final Decision. Should the Project Owner enter into a power purchase agreement for the EAEC and should that agreement require any modifications to the project or changes in the conditions of certification or, should any external circumstances requires changes in the conditions of certification, the Project Owner will file a timely petition to amend the license prior to the commencement of construction.

4. The EAEC is required to meet Conditions of Certification that when implemented by the Project Owner will ensure that the project will be designed, sited, and operated in conformity with applicable local, regional, state, and federal laws, ordinances, regulations, and standards, including applicable public health and safety standards, and air and water quality standards. Extension of the deadline for commencement of construction to August 19, 2011 is in the public interest because it will allow the EAEC to continue its power marketing efforts,

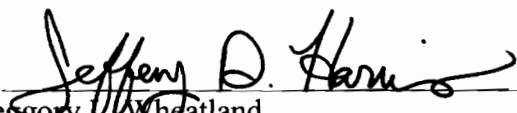
including competing in PG&E's current RFO solicitation and, if successful, to be constructed and to provide a vital new source of clean, reliable electricity in the region.

5. Therefore, for good cause shown, the Project Owner requests that the Commission extend the deadline for commencement of construction of the East Altamont Energy Center to August 19, 2011.

May 16, 2008

Respectfully submitted,

ELLISON, SCHNEIDER & HARRIS L.L.P.

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