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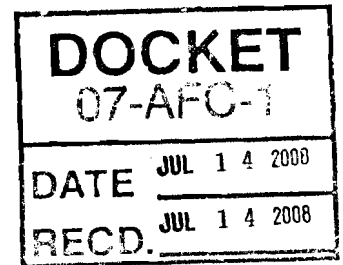
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July 14, 2008

File No. 039610-0001

VIA FEDEX

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



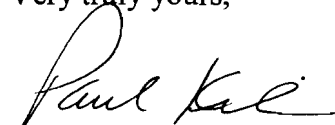
Re: Victorville 2 Hybrid Power Project: Docket No. 07-AFC-1

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find a document entitled, "Proposed Clarification of Proposed Condition of Certification AQ-SC9."

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.)

Michael J. Carroll
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(714) 540-1235

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:) Docket No. 07-AFC-1
)
Application for Certification,) PROPOSED CLARIFICATION OF PROPOSED
for the VICTORVILLE 2 HYBRID POWER) CONDITION OF CERTIFICATION AQ-SC9
PROJECT)
by The City of Victorville)
_____)

This submittal confirms the withdrawal of the alternative to proposed Condition of Certification AQ-SC9, which Applicant submitted on July 1, 2008. Condition AQ-SC9 addresses the requirement to provide PM10 emission offsets through the paving of unpaved roads, and the timing associated therewith. This condition is the only proposed condition upon which Applicant and CEC staff have been unable to reach consensus. In an effort to resolve the outstanding issue, Applicant agrees to fully complete the required road paving activities 15 days prior to construction. In addition, Applicant proposes to clarify the Condition as follows:

AQ-SC9 *The project owner shall pave, with asphalt concrete that meets the current county road standards, unpaved local roads to provide emission reductions of 132.7 tons per year of PM10, prior to start construction of the project. Calculations of PM10 emission reduction credits shall be performed in accordance with Sections 13.2.1 and 13.2.2 of the U.S. EPA's AP-42 "Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources," Fifth Edition.*

Verification: *At least 60 days prior to start of construction, the project owner shall submit to the CPM and the District, for approval, a list and pictures of candidate roads to be paved, their actual daily average traffic county including classifications of vehicles (ADT), and daily vehicle miles travel (DVMT), their actual road dust silt content, and calculations showing the appropriate amount of emissions reductions due to paving of each road segment. All paving of roads shall be complete at least 15 days prior to start of construction **ground disturbance** of the project.*

This minor addition clarifies that, while Applicant may proceed with site mobilization activities prior to completing road paving, all required road paving must be complete 15 days prior to commencement of the construction-related ground disturbance.

Applicant urges the Committee to incorporate this clarification into the Final Decision.

DATED: July 14, 2008

Respectfully submitted,

Michael Carroll

Michael J. Carroll *ST*
of LATHAM & WATKINS LLP

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

In the Matter of:)	Docket No. 07-AFC-1
)	
Application for Certification,)	ELECTRONIC PROOF OF SERVICE
for the VICTORVILLE 2)	LIST
HYBRID POWER PROJECT)	
by the City of Victorville)	(revised May 30, 2008)
)	
_____)	

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:

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VICTORVILLE II HYBRID POWER PROJECT

CEC Docket No. 07-AFC-1

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

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Transmission via U.S. Mail addressed to the following:

INTERESTED AGENCIES

CA Independent System Operator
151 Blue Ravine Road
Folsom, CA 95630

DECLARATION OF SERVICE

I, Paul Kihm, declare that on July 14, 2008, I deposited a copy of the attached:

**PROPOSED CLARIFICATION OF PROPOSED CONDITION OF CERTIFICATION
AQ-SC9**

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 14, 2008, at Costa Mesa, California.



Paul Kihm