



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

DOCKET
07-AFC-4

DATE FEB 11 2009
RECD. FEB 11 2009

APPLICATION FOR CERTIFICATION FOR THE
CHULA VISTA ENERGY UPGRADE PROJECT

DOCKET No. 07-AFC-4

**ORDER EXTENDING PUBLIC COMMENT PERIOD ON PRESIDING MEMBER'S PROPOSED
DECISION AND POSTPONING COMMITTEE CONFERENCE**

On January 23, 2009, the Committee reviewing the Application for Certification (AFC) in this matter issued its Presiding Member's Proposed Decision (PMPD). In accord with Commission regulations, a minimum of 30 days following the issuance of a PMPD is to be allowed for public comment. At the same time, the Committee issued notice of a Committee Conference to be held on February 23, 2009, in Chula Vista to receive comment from the parties and the public on the PMPD.

On February 10, 2009, Applicant MMC Chula Vista filed a Request for Extension of Time for the PMPD Public Comment Period and Committee Conference. In that filing, the Applicant requested a minimum of two additional weeks, or until at least March 9, 2009, to continue its review of the PMPD and determine its future course of action in this matter.

MMC correctly points out that written comments from the parties are not due until February 20, 2009. The Committee can see no reason that any other party would be prejudiced by a postponement of two weeks on the public comment period, and thus **grants** this request. The public comment period is hereby extended **to and including March 9, 2009**. The deadline for submission of written comments by the parties is likewise hereby extended **to and including March 9, 2009**.

The Committee Conference previously scheduled for February 23, 2009 is hereby postponed to a future date which will be set forth in a revised Notice of Hearing to be issued shortly.

Dated: February 11, 2009, at Sacramento, California.

Original Signed By: _____

JAMES D. BOYD

Vice Chair and Presiding Member

Chula Vista Energy Upgrade Project AFC Committee



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**Application for Certification
For the CHULA VISTA ENERGY
UPGRADE PROJECT**

Docket No. 07-AFC-4

**PROOF OF SERVICE
(Revised: 2/10/09)**

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DECLARATION OF SERVICE

I, RoseMary Avalos, declare that on February 11, 2009, I served and filed copies of the attached Order Extending Public Comment Period On Presiding Member's Proposed Decision and Postponing Committee Conference, dated February 11, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: **[www.energy.ca.gov/sitingcases/chulavista]**. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (***preferred method***);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 07-AFC-4
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Original Signed By: _____
RoseMary Avalos