

LATHAM & WATKINS LLP

650 Town Center Drive, 20th Floor
Costa Mesa, California 92626-1925
Tel: +1.714.540.1235 Fax: +1.714.755.8290
www.lw.com

FIRM / AFFILIATE OFFICES
Abu Dhabi Munich
Barcelona New Jersey
Brussels New York
Chicago Northern Virginia
Doha Orange County
Dubai Paris
Frankfurt Rome
Hamburg San Diego
Hong Kong San Francisco
London Shanghai
Los Angeles Silicon Valley
Madrid Singapore
Milan Tokyo
Moscow Washington, D.C.

March 25, 2009

File No. 033947-0020

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-7
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

DOCKET	
08-AFC-7	
DATE	MAR 25 2009
RECD.	MAR 25 2009

Re: GWF Tracy Combined Cycle Power Plant Project: Docket No. 08-AFC-7

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find Applicant's Status Report #3.

Please note that the enclosed submittal was also filed today via electronic mail to your attention.

Very truly yours,



Paul E. Kihm
Senior Paralegal

Enclosure

cc: CEC 08-AFC-7 Proof of Service List (w/encl. via e-mail and U.S. Mail)
Michael J. Carroll, Esq. (w/ encl.)

Michael J. Carroll
Marc T. Campopiano
LATHAM & WATKINS LLP
650 Town Center Drive, Suite 2000
Costa Mesa, CA 92626
(714) 540-1235
Counsel to Applicant

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:) Docket No. 08-AFC-07
)
APPLICATION FOR CERTIFICATION,) APPLICANT'S STATUS REPORT #3
FOR THE GWF TRACY COMBINED CYCLE)
POWER PLANT PROJECT,)
BY GWF ENERGY, LLC)
_____)

Pursuant to the Committee Scheduling Order issued on October 1, 2008, the Applicant hereby submits its Status Report #3.

Preliminary Determination of Compliance

Applicant has been in communication with the San Joaquin Valley Air Pollution Control District (District) regarding the status of the Preliminary Determination of Compliance (PDOC). The Applicant has been informed by the District that the PDOC is nearly completed and may be issued as early as this week.

Discovery Status

On January 23, 2009, the Applicant docketed responses to data requests made at the Data Response and Issue Resolution Workshop on December 11, 2008. In these responses, the Applicant incorporated information received from the San Joaquin Council of Governments (SJCOG) at a meeting on January 15, 2009. Based on these actions, it is the Applicant's understanding that all data request issues have been fully resolved.

DATED: March 25, 2009

Respectfully submitted,

/S/ MARC T. CAMPOPIANO

Marc T. Campopiano
of LATHAM & WATKINS LLP
Counsel to Applicant

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

In the Matter of:)	Docket No. 08-AFC-7
)	
Application for Certification,)	PROOF OF SERVICE
for the GWF TRACY COMBINED CYCLE)	
POWER PLANT PROJECT)	(Revised February 25, 2009)
by GWF Energy, LLC)	
_____)	

APPLICANT

Doug Wheeler
Vice President
GWF Energy, LLC
4300 Railroad Avenue
Pittsburg, CA 94565
dwheeler@gwfpower.com

APPLICANT'S CONSULTANTS

Jerry Salamy
Senior Project Manager
CH2M HILL
2485 Natomas Park Drive
Sacramento, CA 95833
Jerry.Salamy@CH2M.com

David A. Stein, P.E.
Vice President, Industrial Systems
CH2M HILL
155 Grand Avenue, Suite 1000
Oakland, CA 94512
dstein@ch2m.com

INTERESTED AGENCIES

California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

GWF TRACY COMBINED CYCLE POWER PLANT PROJECT
CEC Docket No. 08-AFC-7

INTERVENORS

Howard Seligman, Esq.
Seligman & Willett, Inc.
7540 Shoreline Drive
Stockton, CA 95219
hselitenni@aol.com

Mr. Robert Sarvey
501 W. Grantline Road
Tracy, California 95376
sarveybob@aol.com

ENERGY COMMISSION

Karen Douglas
Chair and Presiding Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
Kldougla@energy.state.ca.us

Arthur H. Rosenfeld
Commissioner and Associate Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
arosenfe@energy.state.ca.us

Raoul Renaud
Hearing Officer
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
rrenaud@energy.state.ca.us

Alan Solomon
Project Manager
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
asolomon@energy.state.ca.us

GWF TRACY COMBINED CYCLE POWER PLANT PROJECT
CEC Docket No. 08-AFC-7

Kerry Willis
Staff Counsel
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
kwillis@energy.state.ca.us

Elena Miller
Public Adviser's Office
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
Publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Paul Kihm, declare that on March 25, 2009, I served and filed copies of the attached:

APPLICANT'S STATUS REPORT #3

to all parties identified on the Proof of Service List above in the following manner:

California Energy Commission Docket Unit

- Transmission via electronic mail and by depositing one original paper copy with FedEx overnight mail delivery service at Costa Mesa, California, with delivery fees thereon fully prepaid and addressed to the following:

CALIFORNIA ENERGY COMMISSION
Attn: DOCKET NO. 08-AFC-7
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
docket@energy.state.ca.us

GWF TRACY COMBINED CYCLE POWER PLANT PROJECT
CEC Docket No. 08-AFC-7

For Service to All Other Parties

- Transmission via electronic mail to all email addresses on the Proof of Service list; and
- by depositing one paper copy with the United States Postal Service via first-class mail at Costa Mesa, California, with postage fees thereon fully prepaid and addressed as provided on the Proof of Service list to those addresses **NOT** marked "email preferred."

I further declare that transmission via electronic mail and U.S. Mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 25, 2009, at Costa Mesa, California.



Paul Kihm