

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

LATHAM & WATKINS LLP

DOCKET 08-AFC-11
DATE <u>9/30/2009</u>
RECD. <u>9/30/2009</u>

September 30, 2009

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File No. 030137-0024

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-11
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

Re: CPV Vaca Station Power Plant Project: Docket No. 08-AFC-11

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find a copy of a letter to the Yolo-Solano Air Quality Management District regarding Applicant's Fourth Request for Extension of the PDOC.

Please note that the enclosed submittal was filed today via electronic mail to your attention and served on all parties to the above-referenced project.

Very truly yours,



Paul E. Kihm
Senior Paralegal

Enclosure

cc: 08-AFC-11 Proof of Service List (w/encl., via e-mail and U.S. Mail)
Michael J. Carroll, Esq. (w/encl.)
Marc T. Campopiano, Esq. (w/encl.)

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File No.	030137-0024

September 30, 2009

VIA EMAIL, FAX AND FED-EX

Ms. Susan K. McLaughlin
Supervising Air Quality Engineer
Yolo-Solano Air Quality Management District
1947 Galileo Ct., Suite 103
Davis, CA 95618

Re: CPV Vaca Station Project (08-AFC-11):
Request for Fourth Extension of the PDOC

Dear Ms. McLaughlin:

As you are aware, CPV Vacaville, LLC (“Applicant”) has filed an Application for Certification with the California Energy Commission for the CPV Vaca Station Project (08-AFC-11) (“Project”). The Project is located within the jurisdictional boundaries of the Yolo-Solano Air Quality Management District (“District”).

In accordance with the Energy Commission’s Schedule for the Project and District Rule 418 *et seq.*, the District was scheduled to issue a Preliminary Determination of Compliance (“PDOC”) on May 9, 2009. Applicant has previously requested three extensions of the PDOC issuance deadline, which is currently set for September 30, 2009.

Applicant hereby requests a one-month extension of the PDOC deadline, until October 31, 2009. Applicant understands that the District needs additional information and time to complete the PDOC. As you know, Applicant has been diligently working with District Staff to resolve outstanding issues associated with the PDOC. Applicant further understands that this extension may cause a corresponding delay in the Energy Commission’s schedule for reviewing the Project regarding air quality issues.

LATHAM & WATKINS^{LLP}

If I can answer any questions about this request, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marc T. Campopiano". The signature is fluid and cursive, with a large initial "M" and "C".

Marc T. Campopiano
of LATHAM & WATKINS LLP

cc: Andrew Welch, Competitive Power Ventures
Gary Rubenstein, Sierra Research
Courtney Graham, Yolo-Solano Air Quality Mgmt. District

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

In the Matter of:)	Docket No. 08-AFC-11
)	
Application for Certification,)	PROOF OF SERVICE
for the CPV VACA STATION POWER PLANT)	
PROJECT)	(February 18, 2009)
by CPV Vacaville, LLC)	
_____)	

APPLICANT

Andrew Welch
Vice President
Competitive Power Ventures, Inc.
8403 Colesville Road, Suite 915
Silver Spring, MD 20910
Awelch@cpv.com

APPLICANT'S CONSULTANT

Douglas M. Davy
Program Manager
CH2M Hill
2485 Natomas Park Drive, Suite 600
Sacramento, CA 95833
ddavy@CH2M.com

INTERESTED AGENCIES

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

ENERGY COMMISSION

Jeffrey D. Byron
Commissioner and Presiding Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
jbyron@energy.state.ca.us

CPV VACA STATION POWER PLANT PROJECT
CEC Docket No. 08-AFC-11

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

Rod Jones

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

Deborah Dyer

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

Melanie Moultry

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

Loreen McMahon

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

DECLARATION OF SERVICE

I, Paul Kihm, declare that on September 30, 2009, I served and filed copies of the attached:

**LETTER TO THE YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT
REGARDING APPLICANT'S FOURTH REQUEST FOR EXTENSION OF THE PDOC.**

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 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-11
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
docket@energy.state.ca.us

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 September 30, 2009, at Costa Mesa, California.



Paul Kihm