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File No. 022745-0094

November 4, 2009

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 letter to the Yolo-Solano Air Quality Management District regarding Applicant's fifth request for extension of the issuance 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

November 4, 2009

VIA EMAIL, FAX AND U.S. MAIL

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 Fifth 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 extensions of the PDOC issuance deadline. Applicant hereby requests another extension of the PDOC deadline, until November 30, 2009. 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.

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

Very truly yours,


Marc T. Campopiano
of LATHAM & WATKINS LLP

**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) (June 3, 2009)
by CPV Vacaville, LLC)
_____)

APPLICANT

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APPLICANT'S CONSULTANT

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INTERESTED AGENCIES

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ENERGY COMMISSION

Jeffrey D. Byron
Commissioner and Presiding Member
CALIFORNIA ENERGY COMMISSION
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CPV VACA STATION POWER PLANT PROJECT
CEC Docket No. 08-AFC-11

Arthur H. Rosenfeld

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DECLARATION OF SERVICE

I, Paul Kihm, declare that on November 4, 2009, I served and filed copies of the attached:

**LETTER TO THE YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT
REGARDING APPLICANT'S REQUEST FOR FIFTH 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 November 4, 2009, at Costa Mesa, California.



Paul Kihm