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November 12, 2009

<b>DOCKET</b>	
<b>09-AFC-3</b>	
DATE	NOV 12 2009
RECD	NOV 12 2009

Commissioner Julia Levin, Presiding Member  
Commissioner Jeffrey Byron, Associate Member  
Mariposa Energy Project (09-AFC-03)  
California Energy commission  
1516 Ninth Street  
Sacramento, CA 95814

**Re: Mariposa Energy Project (09-AFC-03): Notice Pursuant to 20 CCR 1716(f):  
Commission Staff Data Request Set 1 (nos. 1-57)**

Dear Commissioners Levin and Byron:

Mariposa Energy, LLC (the "Applicant") hereby files this notice as required by Section 1716(f) of the Commission's regulations regarding the need for additional time and the basis for objections to certain Data Requests promulgated by Staff on October 23, 2009.

Applicant has informed Staff that we will need additional time to respond to three Data Requests - 48, 49 and 56.

Data Request 47 asks the Applicant to prepare a discussion, based on the available Quaternary science and geoarchaeological literature, of the historical geomorphology of the project areas. That discussion is being prepared and will be completed in a timely manner. Data Requests 48 and 49 depend on the results of the Applicant's response to Data Request 47. In the event that the response to Data Request 47 determines that there is not sufficient extant Quaternary science and/or geoarchaeological literature pertinent to the reconstruction of the historical geomorphology of the project area, Data Requests 48 and 49 ask the Applicant to have the approved geoarchaeologist design a primary geoarchaeological field study of the project areas, submit a research plan for staff approval, and conduct the approved research. Because the response to Data Request 47 has not been completed, the Applicant is not able to determine at this time whether responses to Data Requests 48 and 49 will be necessary, and if so, the amount of time that will be required to complete this work. Our goal would be to complete a response to Data Requests 48 and 49, if necessary, on or before January 29, 2010.

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Data Request 56 asks the Applicant to provide a general environmental analysis sufficient to meet the CEQA requirements for indirect project impacts for certain transmission upgrades identified in the CAISO Transition Cluster Group1 Phase 1 Interconnection study report dated July 28, 2009. The Applicant has asked the Staff to agree that this general environmental analysis should be performed for those upgrades for which the MEP has significant cost responsibility. Because these upgrades involve PG&E facilities, the Applicant has already requested that PG&E grant access to the Applicant to perform this general environmental analysis. PG&E has not yet authorized access, but the environmental fieldwork will begin as soon as PG&E grants access. Our goal is to complete this general environmental analysis on or before January 29, 2010.

Sincerely,



Greggory L. Wheatland  
Ellison, Schneider & Harris, L.L.P.

Attorneys for Mariposa Energy, LLC.

STATE OF CALIFORNIA

Energy Resources Conservation  
and Development Commission

Application for Certification for the )  
MARIPOSA ENERGY PROJECT ) Docket No. 09-AFC-03  
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**PROOF OF SERVICE**

I, Karen A. Mitchell, declare that on November 12, 2009, I served the attached *Notice Pursuant to 20 CCR 1716(f): Data Request Set 1 (nos. 1-57)* via electronic and U.S. mail to all parties on the attached service list.

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



\_\_\_\_\_  
Karen A. Mitchell

**SERVICE LIST**  
**09-AFC-3**

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