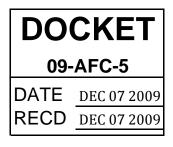
ELLISON, SCHNEIDER & HARRIS L.L.P.

CHRISTOPHER T. ELLISON ANNE J. SCHNEIDER JEFFERY D. HARRIS DOUGLAS K. KERNER ROBERT E. DONLAN ANDREW B. BROWN GREGGORY L. WHEATLAND CHRISTOPHER M. SANDERS LYNN M. HAUG PETER J. KIEL

ATTORNEYS AT LAW

2600 Capitol Avenue, Suite 400 Sacramento, California 95816 Telephone (916) 447-2166 Fax (916) 447-3512 ELIZABETH P. EWENS, OF COUNSEL BRIAN S. BIERING TERESA W. CHAN SHANE E. CONWAY KATHRYN C. COTTER JEDEDIAH J. GIBSON CHASE B. KAPPEL SAMANTHA G. POTTENGER

December 7, 2009



Commissioner Julia Levin, Presiding Member Vice Chair James D. Boyd, Associate Member Abengoa Mojave Solar Project (09-AFC-5) California Energy commission 1516 Ninth Street Sacramento, CA 95814

Re: Abengoa Mojave Solar Project (09-AFC-5): Applicant's Response to Proposed Schedule

Dear Commissioners Levin and Boyd:

On October 22, 2009, the Staff submitted an Issues Identification Report and proposed schedule to the Committee. This proposed schedule included February 18, 2010 as the date the Staff Assessment will be published. On December 1, 2009, Staff submitted a revised schedule with its Project Status Report 1. Staff's revised schedule identifies dates two weeks later than previously anticipated. For example, the Staff Assessment is now proposed to be issued March 4, 2010. Staff explained that because additional time was requested by the Applicant to respond to certain data requests, Staff will need additional time is to review this information and revise Staff analyses.

Applicant appreciates the current demands on Staff time and the realities facing the Commission in reviewing the many cases before it. Applicant sincerely appreciates Staff's hard work in reviewing the information submitted thus far in response to data requests and all of Staff's efforts to meet an accelerated schedule so that the Applicant can meet deadlines associated with its request for American Recovery and Reinvestment Act (ARRA) funding.

Applicant requested additional time on several data requests that require additional technical work or field study. Specifically, Applicant estimated that it needs an additional 30 days to provide responses to these requests. Staff's revised schedule identifies the dates Applicant will submit the additional data responses as December 21-24, 2009. Recognizing that Staff is working to complete the Staff Assessment as soon as possible, Applicant is also working diligently to provide responses to Staff even earlier than the identified dates.

Commissioner Julia Levin, Presiding Member Vice Chair James D. Boyd, Associate Member December 7, 2009 Page 2

Applicant accepts the need for additional time for Staff to modify analyses in response to information that will be provided in the delayed data responses. While accepting this need, Applicant respectfully requests that the proposed schedule reflect a commensurate adjustment in case of an earlier submittal of the additional data responses. In other words, Applicant requests that the proposed schedule reflect the delay as triggered by the date the additional data responses are actually submitted rather than the estimated dates.

Thank you for your time and consideration.

Respectfully submitted,

Wittegles Much-

Christopher T. Ellison Shane E. Conway Ellison, Schneider & Harris, L.L.P.

Attorneys for Abengoa Solar Inc.

STATE OF CALIFORNIA

Energy Resources Conservation and Development Commission

Application for Certification for the ABENGOA MOJAVE SOLAR POWER PLANT

Docket No. 09-AFC-5

PROOF OF SERVICE

I, Karen A. Mitchell, declare that on December 7, 2009, I served the attached Applicant's

)

)

Response to Proposed Schedule 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-5

APPLICANT

Emiliano Garcia Sanz General Manager Abengoa Solar Inc. 11500 West 13th Avenue Lakewood, CO 80215 emiliano.garcia@solar.abengoa.com

Scott D. Frier Chief Operating Officer Abengoa Solar Inc. 13911 Park Ave., Ste. 206 Victorville, CA 92392 scott.Frier@solar.abengoa.com

Tandy McMannes 2030 Addison Street, Suite 420 Berkeley, CA 94704 tandy.mcmannes@solar.abengoa.com

APPLICANT'S CONSULTANTS

Frederick H. Redell, PE Redell Engineering, Inc. 1820 E. Garry Ave., Ste. 116 Santa Ana, CA 92705 <u>fred@redellengineering.com</u>

COUNSEL FOR APPLICANT

Christopher T. Ellison Ellison, Schneider & Harris 2600 Capitol Ave. Sacramento, CA 95816 <u>cte@eslawfirm.com</u>

INTERESTED AGENCIES

California ISO e-recipient@caiso.com

INTERVENORS

California Unions for Reliable Energy Tanya A. Gulesserian Marc D. Joseph Adams Broadwell Joseph & Cardozo 601 Gateway Boulevard, Suite 1000 South San Francisco, CA 94080 tgulesserian@adamsbroadwell.com

ENERGY COMMISSION

JULIA LEVIN Commissioner and Presiding Member jlevin@energy.state.ca.us

JAMES D. BOYD Vice Chairman and Associate Member jboyd@energy.state.ca.us

Paul Kramer Hearing Officer pkramer@energy.state.ca.us

Chris Hoffman Project Manager choffman@energy.state.ca.us

Christine Hammond Staff Counsel chammond@energy.state.ca.us

Public Adviser's Office publicadviser@energy.state.ca.us