## ADAMS BROADWELL JOSEPH & CARDOZO

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#### ATTORNEYS AT LAW

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February 26, 2010

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350 SACRAMENTO, CA 95814-4715

TEL: (916) 444-6201 FAX: (916) 444-6209

DOCKET 09-AFC-6

**DATE** FEB 26 2010

RECD. MAR 01 2010

California Energy Commission Attn: Docket No. 09AFC6 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512

Re: 09-AFC-6 Blythe Solar Power Plant Project

Dear Docket Clerk:

DANIEL L. CARDOZO

THOMAS A. ENSLOW

TANYA A. GULESSERIAN

MARC D. JOSEPH ELIZABETH KLEBANER

RACHAEL E. KOSS

LOULENA A. MILES ROBYN C. PURCHIA

OF COUNSEL

THOMAS R. ADAMS ANN BROADWELL GLORIA D. SMITH

Enclosed are an original and one copy of letter to Eldon Heaston regarding the Preliminary Determination of Compliance for the Solar Millennium Blythe Solar Power Project (California Energy Commission docket No. 09-AFC-6). Please process the document and provide us with a conformed copy in the envelope provided.

Thank you.

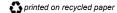
Sincerely,

/s/

Bonnie A. Heeley Administrative Assistant

:bh Enclosures

2398.013a



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By: Email and U.S. Mail

DANIEL L. CARDOZO

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> Eldon Heaston Executive Director Mojave Desert Air Quality Management District 14306 Park Ave Victorville, CA 92392 eheaston@mdaqmd.ca.gov

> > Re: Solar Millennium Blythe Solar Power Project (California Energy Commission Docket No.09-AFC-6)

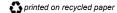
Dear Mr. Heaston:

On February 2, 2010, the District published notice of preliminary determinations of compliance for the Solar Millennium Blythe Solar Power Project, jointly proposed by Solar Millennium LLC and Chevron Energy LLC. However, in a letter dated January 26, 2010, Solar Millennium LLC informed the District that Chevron had withdrawn from the project and requested that the CEC issue one license to Blythe Solar 1 LLC, a wholly-owned subsidiary of Solar Millennium. Due to the changed project and the change of ownership, the PDOC's analysis must be revised and recirculated for public comment.

We request that the District immediately withdraw the PDOCs dated January 28, 2010 and notify the public accordingly. The January 28, 2010 preliminary determinations have been rendered moot.

The public and multiple agencies are working expeditiously to review numerous projects that are currently seeking funding under the American Recovery and Reinvestment Act. Releasing a PDOC for public comment when the PDOC is no longer applicable to the project is an inefficient use of the agencies' and public's limited resources.

2398-012a



 $\begin{array}{c} \text{February 26, 2010} \\ \text{Page 2} \end{array}$ 

Thank you for your attention to this matter.

Sincerely,

/s/

Elizabeth Klebaner

# EK:bh

cc: Alan Solomon, asolomon@energy.state.ca.us
Raoul Renaud, Hearing Officer, <u>rrenaud@energy.state.ca.us</u>

## DECLARATION OF SERVICE Blythe Solar Power Plant Project

Docket No. 09-AFC-6

I, Bonnie Heeley, declare that on February 26, 2010, I served and filed copies of the attached letter to Eldon Heaston regarding the Preliminary Determination of Compliance for the Solar Millennium Blythe Solar Power Project (California Energy Commission Docket No. 09-AFC-6) dated February 26, 2010. The document, filed with the Docket Office, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

http://www.energy.ca.gov/sitingcases/solar\_millennium\_blythe/index.html.

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Office via email and U.S. mail as addressed below:

### CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 09-AFC-9 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512 docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct. Executed at South San Francisco, CA on February 26, 2010.

/s/	
Bonnie Heeley	

CALIFORNIA ENERGY COMMISSION Attn: Docket No. 09AFC6 1516 Ninth Street, MS4 Sacramento, CA 95814-5512 docket@energy.state.ca.us	Alice Harron Senior Director-Project Dvlpmnt 1625 Shattuck Ave., #270 Berkeley, CA 94709-1161 harron@solarmillennium.com	Gavin Berg Senior Project Manager 1625 Shattuck Ave., #270 Berkeley, CA 94709 berg@solarmillennium.com
Carl Lindner AECOM Project Manager 1220 Avenida Acaso Camarillo, CA 93012 Carl.lindner@aecom.com	Scott Galati, Esq. Galati/Blek, LLP 455 Capitol Mall, #350 Sacramento, CA 95814 sgalati@gb-llp.com	Peter Weiner/Matthew Sanders Paul Hastings Janofsky & Walker LLP 55 2 <sup>nd</sup> Street, #2400-3441 San Francisco, CA 94105 peterweiner@paulhastings.com matthewsanders@paulhastings.com
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