

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



March 4, 2010

Mr. Bohdan Buchynsky
Diamond Generating Corporation
333 S. Grand Ave., Suite 1570
Los Angeles, CA 90071

DOCKET	
09-AFC-3	
DATE	<u>MAR 04 2010</u>
RECD.	<u>MAR 04 2010</u>

**RE: MARIPOSA ENERGY PROJECT (MEP) (09-AFC-3)
DATA REQUEST SET 2A (Nos. 1-4)**

Dear Mr. Buchynsky:

Pursuant to Title 20, California Code of Regulations, Section 1716, the California Energy Commission staff seeks the information specified in the enclosed data requests and clarifications. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

This set of data requests and information clarification (Nos. 1-4) is being made in the area of Land Use. Written responses to the enclosed data requests are due to the Energy Commission staff on or before April 2, 2010, or at such later date as may be mutually agreeable.

Staff requests the following information and clarification.

1. Please provide a copy of the current Land Conservation Contract (C-89-1195) and Board of Supervisors Resolution (R-89-947) for the property.
2. Please provide a current lease for the property between Diamond Generation and the property owner.
3. Please provide documentation indicating the Exceptions from the Title Report listed below do not affect or lie within the 10-acre building site proposed for the MEP facility and associated linear facilities.
 - a. C.3 and C 4: Standard Pacific and Standard Oil California pipelines;
 - b. C. 10: Setback requirements concerning personal property affixed to the premises.

PROOF OF SERVICE (REVISED 2/8/10) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 3/4/10

TG

4. Provide clarification on any gas or pipeline related facilities that may be located under the project construction site or affect the project construction site.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to both the Committee and me within 20 days of receipt of this notice. The notification must contain the reasons for not providing the information, and the grounds for any objections (see Title 20, California Code of Regulations, Section 1716 (f)).

If you have any questions, please call me at (916) 654-4781 or email me at choffman@energy.state.ca.us.

Sincerely,

Craig Hoffman
Project Manager

cc: Proof of Service List
Docket 09-AFC-3



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION
FOR THE **MARIPOSA ENERGY PROJECT**
(MEP)

Docket No. 09-AFC-3

PROOF OF SERVICE
(Revised 2/8/2010)

APPLICANT

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DECLARATION OF SERVICE

I, Teraja` Golston, declare that on March 4, 2010, I served and filed copies of the attached (09-AFC-3) Mariposa – CEC Status Report and CEC Data Request Set 2A. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [\[http://www.energy.ca.gov/sitingcases/mariposa/index.html\]](http://www.energy.ca.gov/sitingcases/mariposa/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 Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

X sent electronically to all email addresses on the Proof of Service list;

X by personal delivery or by depositing in the United States mail at Sacramento, Ca with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

X sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

_____ depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 09-AFC-3
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.

Original Signature in Dockets
Teraja` Golston