

STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission

DOCKET
09-AFC-3
DATE <u>OCT 28 2010</u>
RECD. <u>DEC 02 2010</u>

Application for Certification for the)
MARIPOSA ENERGY PROJECT (MEP)) Docket No. 09-AFC-3
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**MARIPOSA ENERGY PROJECT
STATUS REPORT #5**

Pursuant to the Committee Scheduling Order dated October 29, 2010, Mariposa Energy, LLC (“Applicant”) submits the following Status Report #5.

Staff Assessment

The Mariposa Energy Project Staff Assessment was published on November 8, 2010.

The Applicant has thoroughly reviewed the Staff Assessment and provided detailed written comments on November 24, 2010. These comments were minor clarifications and requests for minor modifications.

Staff Assessment Workshop

A Staff Assessment Workshop was held on November 29, 2010. The Applicant’s written comments were discussed during the Workshop. Staff indicated which comments it could accept, which comments it could not accept and which comments required further review prior to publication of the SSA.

As a result of the Workshop discussion, the Applicant is pleased to report that it is in substantial agreement with all of Staff’s proposed Conditions of Certification. The Applicant does not anticipate that there will be any topic area contested between Applicant and Staff.

Bay Area Air Quality Management District

The Bay Area Air Quality Management District (“BAAQMD”) issued the Final Determination of Compliance (“FDOC”) on November 24, 2010. The FDOC contains only minor revisions from the Preliminary Determination of Compliance (“PDOC”).

Supplemental Staff Assessment

The Committee Scheduling Order calls for the Supplemental Staff Assessment to be published on December 13, 2010. The Applicant is pleased that Staff will continue to work toward meeting this publication date.

Testimony

The Committee Scheduling Order calls for the Applicant’s Opening Testimony to be filed on December 20, 2010. The Applicant’s Opening Testimony will be filed on time.

Dated: December 1, 2010

Respectfully submitted,

ELLISON, SCHNEIDER & HARRIS L.L.P.

By:  _____

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PROOF OF SERVICE

I, Karen A. Mitchell, declare that on December 1, 2010, I served the attached *Mariposa Energy Project Status Report #5* 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

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09-AFC-3

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