

From: Kourtney Vaccaro
To: Margaret Pavao
CC: anne.alexander@kattenlaw.com; Camarin B. Madigan; cynthia.burch@katten...
Date: 8/5/2011 8:56 AM
Subject: Re: SENT ON BEHALF OF ELLA FOLEY GANNON

Ms. Pavao and Ms. Foley-Gannon:

The deadlines identified your email (attached below) are not triggered until BNSF serves Calico Solar, LLC with the approved data requests. The Committee's July 26, 2011 approval of specified data requests proposed by BNSF did not effect such service.

You are correct that item number 2 should read as follows: "2. Approved insofar as the request seeks studies and designs that are readily available in the format requested by BNSF and to the extent the studies and designs are not already included in the Petition to Amend, Calico's previously filed Data Responses, or otherwise equally available to BNSF from the Energy Commission website or Siting/Dockets Unit."

I am copying the BNSF attorneys with my response to ensure no misunderstandings regarding the next steps in this process and inform BNSF of the unintended error in item number 2. I will also have this email exchange docketed.

Kourtney Vaccaro
Hearing Adviser II
California Energy Commission

>>> "Pavao, Margaret" <margaret.pavao@bingham.com> 8/4/2011 11:13 AM >>>
Kourtney,

DOCKET	
08-AFC-13C	
DATE	<u>AUG 05 2011</u>
RECD.	<u>AUG 05 2011</u>

Calico has received and reviewed the Committee Authorization and Denial of Specific Data Requests from BNSF Railway to Calico Solar, LLC that was distributed on July 26. I would like to confirm that Calico has 20 days from the date of Committee Authorization to object to BNSF's Data Requests (August 15) and 30 days from the date of the Committee Authorization to provide the information requested (August 25).

Also, there appears to be a typo in Committee Authorization #2 (the "not" highlighted in red):

"2. Approved insofar as the request seeks studies and designs that are not readily available in the format requested by BNSF and to the extent the studies and designs are not already included in the Petition to Amend, Calico's previously filed Data Responses, or otherwise equally available to BNSF from the Energy Commission website or Siting/Dockets Unit."

Please confirm that the "not" should be deleted from #2.

Thank you,
Ella

Ella Foley Gannon
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----- Forwarded message -----

From: Rose Mary Avalos <RMAvalos@energy.state.ca.us<<mailto:RMAvalos@energy.state.ca.us>>>
Date: Tue, Jul 26, 2011 at 11:17 AM
Subject: Calico Solar Project Amendment - Response to BNSF Data Requests
To: Tanya Gulesserian
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<GLEmei@energy.state.ca.us<<mailto:GLEmei@energy.state.ca.us>>>, Karen Douglas
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Good morning,

Attached are the documents, COMMITTEE AUTHORIZATION AND DENIAL OF SPECIFIC DATA REQUESTS FROM BNSF RAILWAY TO CALICO SOLAR, LLC and Proof of Service, for the Calico Solar Project Amendment, Docket Number 08-AFC-13C.

A hard copy of these documents will be delivered and filed with the Docket Unit.

Thank you.

RoseMary Avalos
California Energy Commission
Hearing Adviser's Office
(916) 654-3893 <tel:%28916%29%20654-3893>
rmavalos@energy.state.ca.us <<mailto:rmavalos@energy.state.ca.us>>

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