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**DOCKET**

**11-CAI-02**

DATE Sept 09 2011

RECD. Sept 09 2011

September 9, 2011

### Via Email and U.S. Mail

Commissioner Karen Douglas  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512  
[KLdougl@energy.state.ca.us](mailto:KLdougl@energy.state.ca.us)

Chairman Robert B. Weisenmiller  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512  
[RWeisenm@energy.state.ca.us](mailto:RWeisenm@energy.state.ca.us)

Re: Complaint Against Ormat Nevada, Inc. Docket # 11-CAI-02

Dear Commissioner Douglas and Chairman Weisenmiller:

We are writing on behalf of California Unions for Reliable Energy to request that the Committee direct all parties in this proceeding to docket and serve all documents on all parties and to extend the schedule for this proceeding in order to allow the parties to exchange and review information and prepare informed testimony.

On September 2, 2011, Ormat was required to respond to Terrence O'Brien's August 15, 2011 data requests regarding the Commission's jurisdiction over the North and East Brawley Geothermal projects. CURE expected Ormat to serve those responses on all parties. However, no documents were served on CURE on September 2nd. After the Labor Day holiday, on September 6, 2011, we inquired about Ormat's responses and by the end of the day learned that, instead of docketing and serving written responses, Ormat met privately with Staff on September 2nd, submitted documents to Staff and docketed, but did not serve, an application for confidential designation of some of the documents provided to Staff. To date, Ormat has not served any of the non-confidential responses or documents, nor has Ormat served its application for confidential designation of other documents. Instead, we received Ormat's application from Assistant Chief Counsel, Jeffrey M. Ogata.

Commissioner Karen Douglas  
Chairman Robert B. Weisenmiller  
September 9, 2011  
Page 2

We request that the Committee direct all parties in this proceeding to docket and serve all documents on all parties. Due to the shortness of time within which the Committee requested that all parties provide their exhibits (less than one working day left until noon on Monday, September 12th), Ormat's failure to serve documents in a timely manner makes it difficult, if not impossible, for CURE to review and identify its exhibits and prepare testimony, if needed, by that date. Therefore, we also request that the Committee extend the schedule for this proceeding in order to allow the parties to exchange and review information and prepare informed testimony.

Thank you for your consideration and attention to this matter.

Sincerely,

/s/

Tanya A. Gulesserian

TAG:vs

## DECLARATION OF SERVICE

I, Valerie Stevenson, declare that on, September 9, 2011, I served and filed copies of the attached **LETTER TO COMMISSIONER KAREN DOUGLAS and CHAIRMAN ROBERT B. WEISENMILLER**, dated September 9, 2011. The original document, filed with the Docket Unit or the Chief Counsel, as required by the applicable regulation, 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/proceedings/11-cai-02/index.html>**.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

***(Check all that Apply)***

**For service to all other parties:**

- √ Served electronically to all e-mail addresses on the Proof of Service list;
- √ Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with firstclass postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email service preferred."

**AND**

**For filing with the Docket Unit at the Energy Commission:**

- √ by sending an original paper copy and one electronic copy, mailed with the U.S. Postal Service with first class postage thereon fully prepaid and e-mailed respectively, to the address below (preferred method);

**OR**

by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**  
Attn: Docket No. 11-CAI-02  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

***OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:***

Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission  
Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[mlevy@energy.state.ca.us](mailto:mlevy@energy.state.ca.us)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

\_\_\_\_\_  
/s/  
Valerie Stevenson



**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**

***IN THE MATTER OF COMPLAINT AGAINST  
ORMAT NEVADA, INC. BROUGHT BY  
CALIFORNIA UNIONS FOR RELIABLE ENERGY***

**Docket No. 11-CAI-02  
(Revised 8/19/11)**

**RESPONDENT**

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Imperial County Air Pollution  
Control District  
150 South 9th Street  
El Centro, CA 92243-2801

Imperial Irrigation District  
333 E. Barioni Boulevard  
Imperial, CA 92251

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