

**From:** Kourtney Vaccaro  
**To:** Calico Solar Amend POS\_001  
**Date:** 10/28/2011 10:20 AM  
**Subject:** Calico Amendment: BNSF Railway Company Petition to Compel  
**Attachments:** K Road Calico Solar Response to Data Req. No. 2.pdf

**DOCKET****08-AFC-13C**DATE Oct. 28 2011RECD. Oct. 28 2011

All:

As you are probably aware, on or about September 29, BNSF Railway Company submitted a petition to the assigned committee to (1) compel Calico to provide further data responses and (2) obtain Committee consent to submit previously disallowed data requests. A recent communication from Calico (see attached email) indicates that Calico is evaluating how to proceed with the proposed project amendment given the recent bankruptcy filing by Stirling Energy Systems. Accordingly, the assigned committee - under the authority of Commission Regulation section 1203 - will issue its order on BNSF's petition shortly after Calico submits the revised project description requested by Staff or otherwise notifies the Committee and parties of its intended course of action regarding the proposed project amendment.

Kourtney Vaccaro  
Hearing Adviser II  
California Energy Commission

October 19, 2011

Siting Committee  
Kourtney Vaccaro, Hearing Officer  
Craig Hoffman, Project Manager  
California Energy Commission  
1516 Ninth Street, MS-15  
Sacramento, CA 95814

**Re: Calico Solar Project Amendment (CSPA) (08-AFC-13C)  
Response to Data Request No. 2 (Nos. 1-2)**

Dear Members of the Siting Committee, Ms. Vaccaro and Mr. Hoffman:

As described in my letter of September 28, 2011 to Craig Hoffman, K Road Calico Solar LLC recently became aware that Stirling Energy Systems (SES), the manufacturer of the SunCatcher solar thermal generating technology, filed for Chapter 7 bankruptcy. Calico remains committed to developing the Calico Solar Project and is diligently exploring all potential options. While we explore these options, we are not in the position to respond to the Staff's Data Request No. 2 served on September 29, 2011. We will keep the Committee apprised of the status of the Project.

Sincerely,



Daniel J. O'Shea,  
On behalf of K Road Calico Solar LLC formerly  
known as Calico Solar, LLC



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

**FOR THE CALICO SOLAR PROJECT  
AMENDMENT**

**Docket No. 08-AFC-13C  
PROOF OF SERVICE  
(Revised 10/3/2011)**

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**DECLARATION OF SERVICE**

I, Marsha Curtis, declare that on October 19, 2011, I served and filed copies of the attached **K Road Calico Solar's Response to Data Request No. 2 (Nos. 1-2)**, dated October 19, 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: [[www.energy.ca.gov/sitingcases/calicosolar/index.html](http://www.energy.ca.gov/sitingcases/calicosolar/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 first-class 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 "e-mail 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:

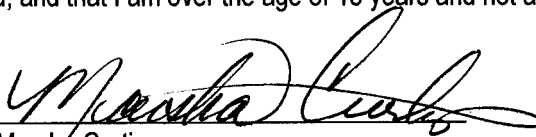
**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**  
Attn: Docket No. 08-AFC-13C  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**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.

  
Marsha Curtis