## ELLISON, SCHNEIDER & HARRIS L.L.P.

ANNE J. SCHNEIDER 1947-2010

CHRISTOPHER T. ELLISON JEFFERY D. HARRIS DOUGLAS K. KERNER ROBERT E. DONLAN ANDREW B. BROWN GREGGORY L. WHEATLAND CHRISTOPHER M. SANDERS LYNN M. HAUG PETER J. KIEL ATTORNEYS AT LAW

2600 CAPITOL AVENUE, SUITE 400 SACRAMENTO, CALIFORNIA 95816 TELEPHONE: (916) 447-2166 FACSIMILE: (916) 447-3512 http://www.eslawfirm.com

November 28, 2012

BRIAN S. BIERING CRAIG A. CARNES, JR. JEDEDIAH J. GIBSON CHASE B. KAPPEL SHANE E. C. McCOIN SAMANTHA G. POTTENGER

OF COUNSEL: ELIZABETH P. EWENS MARGARET G. LEAVITT RONALD LIEBERT



Christine Stora Compliance Project Manager Siting, Transmission and Environmental Protection Division California Energy Commission 1516 Ninth Street, MS 2000 Sacramento, CA 95814

## Re: Los Esteros Critical Energy Facility 01-AFC-12C Amendment No. 5

Dear Ms. Stora:

At your request, we are resubmitting Petition for Modification No. 5 for the Los Esteros Critical Energy Facility filed November 19, 2012 under the Phase 2 Docket No. 03-AFC-2C. By this amendment, Los Esteros Critical Energy Facility, LLC proposes modifications to certain Air Quality Conditions of Certification to make non-substantive clarifications and administrative amendments to provisions governing monitoring and initial source testing and to conform with the corresponding conditions in the Authority to Construct air permit issued by the Bay Area Air Quality Management District. The submission in Docket No. 03-AFC-2C is identical to the earlier submission in Docket No. 01-AFC-12C, except that we changed the docket number and the text to make explicit that this is an Amendment to the Phase 2 license under Docket No. 03-AFC-2C.

If you have any questions, please contact me at (916) 447-2166.

Sincerely.

Chase B. Kappel