



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
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APPLICATION FOR CERTIFICATION FOR THE  
**LODI ENERGY CENTER**  
NORTHERN CALIFORNIA POWER AGENCY

DOCKET No. 08-AFC-10

### COMMITTEE DECISION ON MOTION TO COMPEL

On September 30, 2009, Northern California Power Agency (NCPA) filed its *Lodi Energy Center Motion for Scheduling Order to Compel Staff to Publish Its Preliminary Staff Assessment* (Motion). The Motion seeks an Order compelling Staff to file its Preliminary Staff Assessment on or before October 8, 2009. The Energy Commission staff did not oppose the Motion but indicated in an e-mail, dated October 14, 2009, that the Preliminary Staff Assessment will be published before November 1, 2009.

Since NCPA's Motion is now moot, the Motion is denied without prejudice, and NCPA may bring another Motion should Staff fail to publish the Preliminary Staff Assessment within a reasonable timeframe.

Dated: October 28, 2009 at Sacramento, California.

A handwritten signature in black ink, appearing to read "K. Douglas", written over a horizontal line.

KAREN DOUGLAS  
Chairman and Presiding Member  
Lodi Energy Center AFC Committee

A handwritten signature in black ink, appearing to read "Jeffrey D. Byron", written over a horizontal line.

JEFFREY D. BYRON  
Commissioner and Associate Member  
Lodi Energy Center AFC Committee