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DOCKET
07-SPPE-1
DATE OCT 25 2007
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Via E-mail and UPS

October 25, 2007

Mary Dyas
Project Manager
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512

Subject: Motion For Stay or Suspension
Chevron Power Plant Replacement Project (07-SPPE-1)

Dear Ms. Dyas:

Please find enclosed Chevron USA, Inc.'s motion for a stay or suspension of the application for a Small Power Plant Exemption. Please contact me with any questions. Thank you.

Sincerely,

Evelyn Kahl
Nora Sheriff
Alcantar & Kahl, LLP
Project Counsel

Cc: Comr. Byron
R. Renaud
B.B. Blevins
L. DeCarlo
Service List

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION FOR SMALL POWER PLANT EXEMPTION FOR THE CHEVRON RICHMOND POWER PLANT REPLACEMENT PROJECT	Docket No. 07-SPPE-1

APPLICANT'S MOTION FOR STAY OR SUSPENSION

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Project Counsel

October 25, 2007

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION FOR SMALL POWER PLANT EXEMPTION FOR THE CHEVRON RICHMOND POWER PLANT REPLACEMENT PROJECT	Docket No. 07-SPPE-1

APPLICANT'S MOTION FOR STAY OR SUSPENSION

Pursuant to §1716.5, Chevron USA, Inc. (Chevron or applicant) submits this motion for a stay or suspension of its Application for a Small Power Plant Exemption (SPPE) for the Richmond Power Plant Replacement Project. (Title 20, *California Code of Regulations*, section 1716.5) Staff supports this motion.

Good Cause for Stay

Applicant provides the following grounds for a stay or suspension:

1. Applicant's project schedule has experienced delay, allowing Applicant to turn its resources to other matters and providing additional time for the processing of the Application.
2. The multiple siting proceedings currently before the Energy Commission place significant demands on scarce Staff resources. A stay would provide Staff the opportunity to divert scarce resources to other projects during the stay.

3. Applicant anticipates that Staff and other parties would work diligently to meet a revised schedule for a timely final decision upon an Applicant motion for resumption of the proceeding.
4. No harm would result from the granting of a stay.

Background

Since the combined capacity of the 43 MW Cogen 3000 and the 17 MW Praxair hydrogen plant STG totals 60 MW, the Power Plant Replacement Project (PPRP) is subject to the siting jurisdiction of the California Energy Commission (CEC). The CEC's siting jurisdiction is triggered for any thermal power plant with a capacity exceeding 50 MW.

Chevron submitted an Application for an SPPE to the California Energy Commission on June 22, 2007. A site visit and informational hearing were held on August 30, 2007. The scheduling order was issued on September 11, 2007.

Request for Stay or Suspension

Applicant requests a stay or suspension of its application for SPPE for good cause shown.

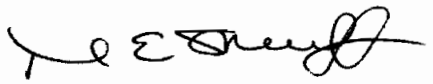
Authority for Stay

The Committee has, under the California Energy Commission's authority over the siting process, the authority to grant this motion for a stay or suspension.

Conclusion

For good cause shown, applicant requests the Committee expeditiously grant this motion for a stay or suspension and suspend all further actions in this proceeding.

Dated: October 25, 2007
Respectfully submitted,



Evelyn Kahl
Nora Sheriff
Project Counsel

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

CHEVRON RICHMOND POWER PLANT REPLACEMENT PROJECT **SMALL POWER PLANT EXEMPTION**	***t No. 07-SPPE-1*** **ALL POWER PLANT**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-SPPE-1
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DECLARATION OF SERVICE

I, _____, declare that on _____, I deposited copies of the attached _____, in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Amie Berkholder

Docket Optical System - Docket No. 07-SPPE-1

From: "Amie Burkholder"
To:
Date: 10/25/2007 4:21 PM
Subject: Docket No. 07-SPPE-1
CC: "Nora Sheriff"
Attachments: "Nora Sheriff"

We submit on behalf of Chevron USA, Inc. for filing: Applicant's Motion For Stay or Suspension of its Application for a Small Power Plant Exemption. An original signed copy will follow via UPS overnight mail. Thank you.

Amie Burkholder
Amie
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