**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**

**APPLICATION FOR CERTIFICATION FOR THE**
***MARIPOSA ENERGY PROJECT***
**MARIPOSA ENERGY, LLC**

**DOCKET NO. 09-AFC-3**

# COMMITTEE ORDER DENYING MOTION FOR STAFF TO CONDUCT A SECOND WORKSHOP FOR MOUNTAIN HOUSE

Upon consideration of the Motion for Staff to Conduct a Second Workshop for Mountain House filed by Petitioner, Rajesh Dighe, the Committee designated to conduct proceedings in this matter makes the following findings:

1. On December 13, 2010, Intervenor, Rajesh Dighe, filed a Motion for Staff to Conduct a Second Workshop for Mountain House (Motion) in the above-captioned proceeding.

2. The Motion asks the Committee to "allow CEC Staff to conduct a 2nd Public workshop for Mountain House (MH) residents." The Motion's only showing of cause asserts that a second workshop "will help clarify lots of outstanding issues … which the MH residents have brought up during and after the Nov 29 CEC public workshop."

3. Pursuant to California Code of Regulations, Title 20, section 1710(d), Staff workshops are initiated at the discretion of Staff. Although the Committee encourages Staff to conduct as many workshops as Staff deems necessary, the Committee will not impose its will on Staff's exercise of discretion without a compelling showing of necessity. The Motion fails to make such a showing. The decision to hold another workshop remains with Staff.

**THEREFORE**, the Motion for Staff to Conduct a 2nd Workshop for Mountain House is **DENIED.**

Dated: December 17, 2010, at Sacramento, California.

JEFFREY D. BYRON
Commissioner and Presiding Member
Mariposa AFC Committee

ROBERT B. WEISENMILLER
Commissioner and Associate Member
Mariposa AFC Committee

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**APPLICATION FOR CERTIFICATION FOR THE *MARIPOSA ENERGY PROJECT* (MEP)**

***Docket No. 09-AFC-3***

***PROOF OF SERVICE***
**(Revised 10/20/2010)**

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*indicates change

## DECLARATION OF SERVICE

I, Maggie Read, declare that on December 17, 2010, I served and filed copies of the attached Committee Order Denying Motion for Staff to Conduct a Second Workshop for Mountain House. The original document, filed with the Docket Unit, 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/sitingcases/mariposa/index.html].
The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(*Check all that Apply*)

FOR SERVICE TO ALL OTHER PARTIES:

_X_ sent electronically to all email addresses on the Proof of Service list;

____ by personal delivery;

_X_ by delivering on this date, for mailing with the United States 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 "email preferred."

*AND*

FOR FILING WITH THE ENERGY COMMISSION:

_X_ sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

*OR*

____ depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 09-AFC-3
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury 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.

*Original signed by:*
Maggie Read
Hearing Adviser's Office