

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:)
) Docket No. 99-AFC-3C
Application for Certification for the Metcalf Energy)
Center)
)
)

PETITION FOR OWNERSHIP CHANGE

Pursuant to California Code of Regulations, Title 20, Section 1769(b)¹, Calpine Corporation hereby petitions the Commission for approval of the transfer of ownership of the Metcalf Energy Center project (the “Project”), Docket No. 99-AFC-3C.

The Project was originally certified on September 24, 2001, citing Calpine Corporation and Bechtel Enterprises, Inc as the Applicant.² By letter dated December 26, 2001, the Commission was notified that Metcalf Energy Center, LLC had acquired Bechtel Enterprises, Inc.’s 50% interest in Project. The Commission’s post-certification approvals reflect the Metcalf Energy Center, LLC as the project owner.³ Thereafter, on July 9, 2003, the project owner filed a petition for ownership

1 All references to “Section” or “Sections” are to the California Code of Regulations, Title 20, unless otherwise noted.

2 MEC Final Decision, p. 10.

3 See, for example, order approving recycled water line amendment, June 27, 2002, http://www.energy.ca.gov/sitingcases/metcalf/compliance/2002-06-27_notice.html.

change, to transfer the Commission's certification from the Metcalf Energy Center, LLC to Calpine Corporation. The Commission approved this petition on August 6, 2003 at the Commission's Business Meeting.

This Petition seeks approval for the transfer of ownership of the Project from Calpine Corporation to the Metcalf Energy Center, LLC. The change of ownership will, among other things, facilitate third-party financing of the Project.

In response to Section 1769(b)(1)(A), there will be no significant operational changes to the Project. The name of the Project will remain the "Metcalf Energy Center."

In response to Section 1769(b)(1)(B), Metcalf Energy Center, LLC will be responsible for compliance with the Commission's Conditions of Certification for the Project.

In response to Section 1769(b)(1)(C), on behalf of the new owner and operator of the Project, Metcalf Energy Center, LLC understands the conditions of certification and agrees to comply with them. As an officer of Metcalf Energy Center, LLC, I hereby attest, under penalty of perjury, under the laws of the State of California, that the contents of this Petition are truthful and accurate to the best of my knowledge and belief.

Metcalf Energy Center, LLC

Dated: 8-10-04

By: 

Richard L. Thomas

Title: Vice President