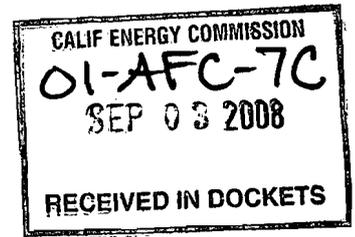


State of California
Energy Resources Conservation and Development Commission

Amendment to the Application)
for Certification of the Russell)
City Energy Center Project)
_____)

Docket No. 01-AFC-7C



**Order on Petitions for Reconsideration
Concerning Extension of Construction Deadline**

On July 30, 2008, the Commission extended the deadline for the start of construction of the Russell City Energy Center ("RCEC"). (Docket No. 01-AFC-7C, Order No. 08-730-3 (July 30, 2008).) On August 27, 2008, petitions for reconsideration of that decision were filed by two groups of interested persons: (1) Rob Simpson ("Simpson"), Californians for Renewable Energy ("CARE"), Hayward Area Planning Association, and Citizens Against Pollution; and (2) CARE and Simpson. This order directs parties to file written arguments on whether the Commission should grant the petitions and establishes a hearing date of September 24, 2008 for the Commission to consider the matter.

Section 1720 of the Commission's regulations allows any party in a power facility certification case to file a petition for reconsideration of a decision or order, within 30 days after a determination is final. (Cal. Code Regs., tit. 20, § 1720, subd. (a).) That section also lists the required contents of such petitions and specifies deadlines for Commission action thereon. (*Id.*, § 1720, subds. (b)-(c).) The Commission must grant or deny a petition for reconsideration within 30 days of its filing. (*Id.*, § 1720, subd. (b).) If the Commission does not grant the petition, the original determination stands. If the Commission grants the petition, that does not mean that the original decision is changed; rather, it simply means that the Commission then holds a subsequent hearing (which may include the taking of evidence), within 90 days, to consider whether to change the original determination. (*Id.*, § 1720, subds. (b)-(c).)

The Commission will hold a hearing to consider whether to grant or deny the RCEC petitions for reconsideration at the regularly-scheduled Commission Business Meeting on Wednesday, September 24, 2008, in Hearing Room A at 1516 Ninth Street, Sacramento, California. (Hearing Room A is wheelchair accessible.) The applicant and the Staff shall, and any other party to the RCEC deadline-extension proceeding may, file written arguments supporting or opposing the petitions. Such arguments must be electronically filed with the Commission and electronically served on all parties **no later than 5:00 p.m. on Friday, September 19, 2008.**

September 03, 2008



Jackalyne Pfannenstiel, Chairman