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STATE OF CALIFORNIA
Energy Resources Conservation and Development Commission

In the Matter of Application for Certification of the San Francisco Electric Reliability Project (SFERP)	))))	Docket Number 04-AFC-1

SF POWER'S RESPONSE TO APPLICANT'S OBJECTION TO SECOND DATA REQUEST

San Francisco Community Power (SF Power) responds as follows to the City and County of San Francisco's (Applicant) objection to its second data request. SF Power is requesting information related to elements of the Applicant's filing which were not filed with the Commission or made public until well after the scheduled June 24 interim deadline for submission of data requests. SF Power submitted its request within days after the Applicant's related filing. To deny an intervenor access to information associated with key project elements that the Applicant did not make available until well after the interim scheduling order deadline would defy common sense. It would also establish an incentive for Applicants to simply wait out data request deadlines before filing key documents.

The fact that the Applicant *may* be willing to provide SF Power with *some* of the requested data through other informal avenues likewise provides no basis for the Applicant's motion. These avenues are always available to intervenors, and have never been found to obviate Applicants' responsibility to respond to data requests that are relevant and timely.

For these reasons SF Power respectfully requests that the Commission deny the Applicant's motion, and order them to respond to SF Power's data request as originally submitted.

Dated: August 10, 2005

Respectfully Submitted,

Steven Moss
Executive Director
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