LATHAM&WATKINS LLP

DOCKET
07-AFC-3
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October 24, 2007

File No. 030137-0012

VIA FEDEX

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-3
1516 Ninth Street, MS-4
Sacramento, California 95814-5512

Re: CPV Sentinel Energy Project: Docket No. 07-AFC-3

Dear Sir/Madam:

Pursuant to California Code of Regulations, title 20, sections 1209, 1209.5, and 1210, enclosed herewith for filing please find Applicant's Objections to California Energy Commission Staff Data Requests, Set One regarding the above-referenced project.

Please note that the enclosed submittal was also filed today via electronic mail to your attention.

Very truly yours,

Paul E. Kihm
Senior Paralegal

Enclosure

cc: Michael J. Carroll, Esq. (w/ encl.)

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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:	)	Docket No. 07-AFC-03
	)	
Application for Certification for the CPV SENTINEL ENERGY PROJECT by CPV Sentinel, LLC.	)	OBJECTIONS TO CALIFORNIA ENERGY COMMISSION STAFF DATA REQUESTS, SET ONE.
	)	

Pursuant to Title 20, California Code of Regulations, Section 1716(f), CPV Sentinel, LLC ("Applicant") hereby objects to certain of California Energy Commission Staff ("Staff") Data Requests, Set One (Nos. 1 - 61). Specifically, the Applicant requests additional time to provide responses to the following Data Requests:

Data Requests Nos. 17, 18, 19, and 20 – Local Land Use Entitlements

Staff requests written confirmation from Riverside County pertaining to the need for a conditional use permit or any other local land use entitlement; the conditions for a conditional use permit, if such permit is required; the County's position on the proposed project's consistency with the County's General Plan and Zoning Ordinance; and the County's opinion on what conditions would be imposed if a variance could be granted. The Applicant is requesting written confirmation from the County, but the Applicant cannot ensure that it will receive it by the November 5, 2007 deadline for responding to the Staff Data Requests. The Applicant will submit the County's written confirmation upon receipt.

Data Request No. 24 – Interconnection Agreement

Staff requests a copy of the final executed Large Generator Interconnection Agreement ("LGIA") between the Applicant and the California Independent System Operator ("California ISO"). Since the LGIA has not yet been executed, it is not clear at this time whether the Applicant will be able to provide the LGIA by November 5, 2007. The Applicant will submit the LGIA to the CEC when it is available.

Data Request No. 25 - Operational Study

Staff requests a copy of SCE's operational study report. The Applicant will not be able to provide this report by November 5, 2007, since it has not yet been prepared. The California ISO submitted a letter to the California Energy Commission dated August 8, 2007, which has been filed in the docket for this proceeding and which addresses when the Operational Study will be completed. In that letter the California ISO explains: "The CAISO routinely requires an

operational study examining the impact of adding the proposed project as of the in-service date; the LGIA for the Project will require such a study."

The letter further indicates that "Southern California Edison has indicated it expects to commence the operational study for the Project roughly sixty days after the LGIA is signed and that it will take roughly sixty days to complete. Consequently, the operational study should be concluded by some time early next year."

In short, projected system conditions as of the June 2010 in-service date will be studied prior to interconnection of the Project. The Applicant will provide the operational study to the CEC when it is available.

Data Request No. 35 – Erosion Control Plan

Staff requests a copy of the Erosion Control Plan ("ECP") referenced in Section 7.14.4.2 of the Application for Certification. The ECP has not been developed, but the Applicant will develop and submit the ECP prior to construction, as required by applicable regulations.

Data Request No. 36 – Drainage Erosion and Sediment Control Plan

Staff requests a draft Drainage Erosion and Sediment Control Plan ("DESCP"). Due to the site surveys and level of detail required to complete the DESCP, the Applicant seeks additional time to prepare the draft. The Applicant will submit the draft DESCP no later than January 4, 2008.

Data Request No. 37 – Storm Water Pollution Prevention Plan

Staff requests a copy of the final construction Storm Water Pollution Prevention Plan ("SWPPP"). The Applicant prepared a draft SWPPP and included it in the AFC. The Applicant will prepare and submit the final SWPPP prior to construction, as required by applicable regulations.

Data Request No. 39 – Will-Serve Letter

Staff requests a will-serve letter or letter of intent for each transfer and exchange of water associated with this project. The Applicant expects to obtain the will-serve letter from the Mission Springs Water District by January 4, 2008, and will submit the letter to Staff upon receipt.

Data Request Nos. 41 and 42 – Water Importation Rules and Water Supply to the Sub-Basin

Staff requests copies of the rules and regulations that are applicable to SWP/CRA water importation by DWA. Staff also requests a detailed discussion of the reliability for recharging the water supply to the Sub-basin. Responding to these requests requires gathering old documents, such as water agency planning documents and historical deliveries data, which are available only in hard copy at the DWA. DWA has been requested to provide this information, but the expected date for completion is after November 5, 2007. The Applicant will submit these responses after receiving the information from DWA.

Data Request Nos. 44, 54, 55, and 61 – Groundwater

Staff requests a detailed discussion of the project's potential impact to other users of the groundwater supply and the cumulative effect of groundwater extraction currently and over the life of the project. In order to provide the exceptional level of detail required for this discussion,

the Applicant will need to conduct additional modeling. The Applicant will submit its responses to these requests no later than February 4, 2008.

Subject to the foregoing requests for additional time to respond, the Applicant will provide the requested information in electronic format and within the specified timeframes.

DATED: October 24, 2007

Respectfully submitted,

Michael J. Carroll
of LATHAM & WATKINS LLP
Counsel to Applicant

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:	)	Docket No. 07-AFC-3
	)	
Application for Certification,	)	**ELECTRONIC PROOF OF SERVICE**
for the CPV SENTINEL ENERGY PROJECT	)	**LIST**
Power Plant Licensing Case	)	
	)	(Revised October 15, 2007]
	)	

☒ Transmission via electronic mail and by depositing one original signed document with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the following:

DOCKET UNIT

CALIFORNIA ENERGY COMMISSION
Attn: DOCKET NO. 07-AFC-3
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
docket@energy.state.ca.us

☒ Transmission via electronic mail addressed to the following:

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CPV SENTINEL ENERGY PROJECT
CEC Docket No. 07-AFC-3

DECLARATION OF SERVICE

I, Paul Kihm, declare that on October 24, 2007, I deposited a copy of the attached:

OBJECTIONS TO CALIFORNIA ENERGY COMMISSION STAFF DATA REQUESTS, SET ONE

with FedEx overnight mail delivery service at Costa Mesa, California with delivery fees thereon fully prepaid and addressed to the California Energy Commission. I further declare that 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. Executed on October 24, 2007, at Costa Mesa, California.

Paul Kihm