CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512

NOTICE OF RECEIPT

PETITION FOR CHANGE OF OWNERSHIP AND EXTENSION OF THE DEADLINE TO COMMENCE CONSTRUCTION

TESLA POWER PROJECT (01-AFC-21C)

On April 24, 2009, Pacific Gas and Electric Company (PG&E) filed a petition with the California Energy Commission requesting approval of an ownership change and an extension to the start of construction date for the Tesla Power Project (TPP). The 1,120-megawatt project was certified by the Energy Commission on June 16, 2004 and the certification expires on June 16, 2009. The facility will be located in the unincorporated portion of Alameda County.

DESCRIPTION OF PROPOSED MODIFICATIONS

The petition makes two requests:

- Energy Commission approval of a change of upstream proprietary interest in the project from Florida Power and Light Energy (FPLE) to PG&E. Direct ownership of the project remains with Midway Power, LLC.

- Energy Commission approval to extend the five year start of construction deadline an additional five years, from June 16, 2009 to June 16, 2014.

ENERGY COMMISSION REVIEW PROCEDURES

The purpose of the Energy Commission's review process is to assess the impacts of this proposal on environmental quality, public health and safety. The review process includes an evaluation of the consistency of the proposed change with the Energy Commission's Decision and if the project, as modified, will remain in compliance with applicable laws, ordinances, regulations, and standards (Title 20, Calif. Code of Regulations, section 1769 and section 1720.3).

STAFF RECOMMENDATION

Energy Commission staff has reviewed the requests and finds that they will have no adverse impacts on environmental quality, public health and safety and recommends approval. PG&E's petition states that it has no specific plans for project construction. Staff may recommend that the project owner provide updated information in various areas if the project becomes active with a proposed construction start date. A public hearing for the purpose of approving or denying the amendment proposal is scheduled to be held at the Energy Commission business meeting on June 3, 2009.

This Notice of Receipt is being mailed to interested parties and property owners adjacent to the project site who may want to participate in the amendment process.

The petition is available on the Energy Commission's website at http://www.energy.ca.gov/sitingcases/tesla/compliance/index.@html. The Energy Commission Order (when published), will also be posted on the website. If you would like to receive a hard copy of the petition, and/or the Commission order, please complete the enclosed Information Request Form and return it to the address shown.

If you have any comments or questions, please contact Steve Munro, Compliance Project Manager, at (916) 654-4745, or by fax to (916) 654-3882, or via e-mail at: smunro@energy.state.ca.us.

For further information on how to participate in this proceeding, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at publicadviser@energy.state.ca.us. If you require special accommodations, please contact Lourdes Quiroz at (916) 654-5146. News media inquiries should be directed to the media office at (916) 654-4989, or by e-mail at *mediaoffice@energy.state.ca.us*.

Date: May 20, 2009

EILEEN ALLEN, Manager
Siting and Compliance Office
Siting, Transmission and Environmental Protection Division

Enclosure: Information Request Form

Mail List #7136

STATE OF CALIFORNIA **CALIFORNIA ENERGY COMMISSION**

Privacy Policy: You will receive only the information requested, and the Energy Commission will make no additional use of your personal information.

INFORMATION REQUEST FORM

COMPLETE & MAIL TO: CALIFORNIA ENERGY COMMISSION
COMPLIANCE UNIT
ATTN: STEVE MUNRO
1516 NINTH STREET, MS-2000
SACRAMENTO, CA 95814

OR FAX TO: (916) 654-3882

NAME AND/OR TITLE (AS IT IS TO APPEAR ON MAIL LABEL)

ORGANIZATION (IF APPLICABLE)

STREET ADDRESS OR P.O. BOX

CITY STATE ZIP CODE

PROPOSED AMENDMENT TO THE COMMISSION DECISION FOR THE TESLA POWER PROJECT TO CHANGE UPSTREAM OWNERSHIP AND EXTEND THE REQUIRED START OF CONSTRUCTION DATE TO JUNE 16, 2014.

PLEASE CIRCLE THE DOCUMENTS YOU WOULD LIKE TO RECEIVE:

- PETITION TO AMEND
- COMMISSION ORDER

PROJECT: TESLA POWER PROJECT
DOCKET NO: 01-AFC-21C
MAIL LIST NO: 7136