

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512

**NOTICE OF RECEIPT**  
**PETITION TO EXTEND CONSTRUCTION DEADLINE**  
**FOR THE**  
**RUSSELL CITY ENERGY CENTER PROJECT (01-AFC-7C)**

On May 30, 2008, the Russell City Energy Company, LLC filed a petition with the California Energy Commission requesting approval to extend the deadline for commencement of construction of the Russell City Energy Center (RCEC) in Hayward, California. The petition requests an extension from September 10, 2008 to September 10, 2010.

The 600-megawatt natural gas-fired project was certified on September 11, 2002 but never commenced construction. A Commission order dated August 29, 2007, extended the original deadline for commencement of construction from September 10, 2007 to September 10, 2008.

**PETITION SUMMARY**

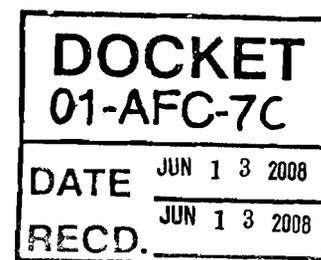
A request for a two-year extension of the deadline for the commencement of construction of the Russell City Energy Center (RCEC), signed under penalty of perjury by the project owner, was submitted to the Energy Commission for review and approval as required by Title 20, California Code of Regulations, section 1769(b). The statement affirms that prior to commencing construction; the following three steps must be completed: (1) the Environmental Appeals Board (EAB) of the U.S. Environmental Protection Agency must issue a final decision regarding a pending appeal of the RCEC federal PSD permit; (2) the EAB decision must become final and non-appealable; and (3) the project owner must complete the financing of the RCEC project. These steps will not be completed to allow construction to commence by September 10, 2008. The project owner further states extension of the deadline for commencement of construction to September 10, 2010, is in the public interest because it will allow time to resolve pending litigation and will thereafter allow the RCEC to be completed and to provide a vital new source of clean, reliable electricity to the region.

**ENERGY COMMISSION REVIEW PROCESS**

Energy Commission staff will review the petition and schedule it for a decision at a regularly scheduled Business Meeting. The following table shows the expected schedule for the review of this petition to extend the deadline for the commencement of construction.

Petition filed with Commission	May 30, 2008
Notice of Receipt docketed, mailed, posted to Web	June 13, 2008
Comment Period	June 13 – July 1, 2008
Commission Business Meeting	July 30, 2008*

\* Tentative date



Notice of Receipt – RCEC Petition to Extend Commencement of Construction Deadline  
June 13, 2008  
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The public may comment on this petition. Please send your written comments to the Energy Commission's Docket Unit, at the address below, by July 1, 2008. Be sure to include the docket number, 01-AFC-7C on any correspondence. The public may also comment orally at the business meeting.

Dockets Unit  
California Energy Commission  
1516 Ninth Street, MS 4  
Sacramento, CA 95814  
(916) 654-5076  
E-mail: [docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

The petition to extend the deadline is available on the Energy Commission's website at [http://www.energy.ca.gov/sitingcases/russellcity\\_amendment/index.html](http://www.energy.ca.gov/sitingcases/russellcity_amendment/index.html). The order, if approved, will also be posted on this website.

If you would like to receive a hardcopy of the petition, or the Energy Commission's decision, please complete the enclosed Information Request Form and return it to the address shown.

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 [pao@energy.state.ca.us](mailto:pao@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](mailto:mediaoffice@energy.state.ca.us).

If you have any questions, please contact Mary Dyas, Compliance Project Manager, at (916) 651-8891, or by fax to (916) 654-3882, or via e-mail at: [mdyas@energy.state.ca.us](mailto:mdyas@energy.state.ca.us).

Date: 13 JUNE 2008   
EILEEN ALLEN, Manager  
Siting and Compliance Office  
Energy Facilities Siting Division

Enclosure: Information Request Form

Mail List # 7078 (General); 7079 (Property Owners); 7080 (Agency + Libraries)

## ***INFORMATION REQUEST FORM***

**COMPLETE & MAIL TO:** CALIFORNIA ENERGY COMMISSION  
COMPLIANCE UNIT  
ATTN: (**NOTE: Mary Dyas**)  
1516 NINTH STREET, MS-2000  
SACRAMENTO, CA 95814

**OR FAX TO:** (916) 654-3882

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

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ORGANIZATION (IF APPLICABLE)

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STREET ADDRESS OR P.O. BOX

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CITY

STATE

ZIP CODE

**PETITION TO EXTEND COMMENCEMENT OF CONSTRUCTION DEADLINE FOR THE RUSSELL CITY ENERGY CENTER (01-AFC-7C)**

**PLEASE CIRCLE THE DOCUMENTS YOU WOULD LIKE TO RECEIVE:**

- PETITION TO EXTEND DEADLINE FOR COMMENCEMENT OF CONSTRUCTION
- COMMISSION DECISION