

# GALATI & BLEK LLP

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December 12, 2005

B.B. Blevins  
Executive Director  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

**05-AFC-3**

<b>DOCKET</b> <b>05-AFC-2</b>
DATE <u>DEC 12 2005</u>
RECD <u>DEC 13 2005</u>

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**Subject: Data Adequacy Recommendation  
Walnut Creek Energy Project (05-AFC-2)  
Sun Valley Energy Project (05-AFC-3)**

Dear Mr. Blevins:

Edison Mission Energy has retained Galati & Blek, LLP to serve as regulatory counsel in the siting of the Walnut Creek Energy Park (WCEP) and the Sun Valley Energy Project (SVEP). The Application For Certification (AFC) for WCEP was filed on November 22, 2005 and has been assigned docket number 05-AFC-2. The AFC for SVEP was filed on December 1, 2005 and has been assigned docket number 05-AFC-3. We understand that the CEC's regulations require the Executive Director to make a data adequacy recommendation to the full Commission and the Commission must make a specific data adequacy finding within 45 days of filing of an AFC. We further understand that the CEC was planning to make such finding for WCEP at its regularly scheduled Commission Business Meeting on January 4, 2006 in order to meet the 45-day requirement. Since the Commission has cancelled its January 4, 2006 Business Meeting, we hereby waive the requirement to have the Data Adequacy Finding made within the 45-day requirement for both projects. We further appreciate that CEC Staff is working diligently to review both AFCs and our entire team looks forward to working closely with Staff to receive a favorable Data Adequacy recommendation in time to support a Finding of Data Adequacy at the January 18, 2004 Commission Business Meeting.

Sincerely,



Scott A. Galati  
Counsel to Edison Mission Energy