

Jane E. Luckhardt
jluckhardt@downeybrand.com

DOCKET
01-AFC-20

DATE May 25 2006

RECD. May 26 2006

May 25, 2006

Gary Fay, Hearing Officer
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

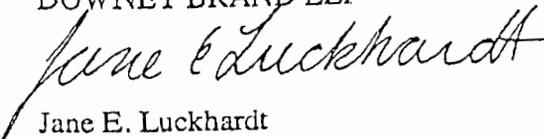
Re: Federal Power Avenal (Docket No. 01-AFC-20)

Dear Clerk:

Enclosed please find fourteen copies of a May 23, 2006 letter from the City of Avenal to the California Energy Commission. The original was presented at the business meeting on Wednesday May 24th. We are therefore filing a copy as requested by the Energy Commission. Please return an endorsed copy of same in the provided envelope. Thank you for your assistance.

Very truly yours,

DOWNEY BRAND LLP



Jane E. Luckhardt

:ln

cc: Service List



City of Avenal

919 Skyline Blvd.
Avenal, CA 93204
Phone (559) 386-5766
Fax (559) 386-0629

May 23, 2006

California Energy Commission
1516 9th Street
Sacramento, CA 94814

RE: Avenal Energy Project (Docket No. 01-AFC-20)

Dear Commission Members:

The purpose of this letter is to express the City of Avenal's support of Federal Power Avenal, LLC's "Notice of Intent to Complete Permitting and Opposition to Committee Proposed Order to Terminate the Application for Certification Proceeding", Docket No. 01-AFC-20, regarding the Avenal Energy Project. The City is in agreement with Federal Power's Notice of Intent.

The development, permitting, construction and operation of the Project is critical to the economic development of the City. As planned, the project is the anchor tenant of the City's Industrial/Commercial Business Park. A rejection of Federal Power's Notice of Intent would adversely affect the economics of the area with the increased potential for loss of job creation and revenue; both would be a very serious loss to the entire community.

The City of Avenal has strongly supported the Project since its inception in 2000 and throughout the development process undertaken by Federal Power and its predecessor, Duke Energy Avenal, LLC. The City and the community continue to strongly support the Project.

In addition to submitting this letter, a City representative will be attending the hearing to demonstrate our commitment to the Project.

The City would like to see this application complete the licensing process to bring it one step closer to construction and operation. We, therefore, respectfully request that the Commission not support the "Committee Order Terminating Proceeding" and the "California Energy Commission Staff Motion to Terminate the Avenal Energy Project Proceeding" as such support would most certainly adversely affect the citizens of the City.

Sincerely,

CITY OF AVENAL

Melissa G. Whitten
City of Avenal

mgw/

CALIFORNIA ENERGY COMMISSION
MAY 23, 2006
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Cc: Steve Gilliland, Federal Power
Harold Burnham, Federal Power
Jane Luckhardt, Attorney, Downey-Brand
Michael Farley, Attorney, Farley Law Firm

STATE OF CALIFORNIA

CALIFORNIA ENERGY RESOURCES AND DEVELOPMENT COMMISSION

In the Matter of:)
)
Federal Power Avenal LLC's Application)
for Certification of the Avenal Energy)
Project)
_____)

Docket No. 01-AFC-20

PROOF OF SERVICE

California Energy Commission
Docket Unit, MS-4
Attn: Docket No. 01-AFC-20
1516 Ninth Street
Sacramento, CA 95814

Steven Sopp, Director
Planning & Development
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Avenal, CA 93204

Steven Gilliland
Federal Power Company, LLC
2116 Watts Road
Houston, TX 77030-1204
federalpower@houston.rr.com

James D. Boyd, Commissioner
California Energy Commission
1516 Ninth Street, MS-34
Sacramento, CA 95814

California Unions for Reliable Energy
c/o Marc D. Joseph, Esq.
Adams, Broadwell, Joseph & Cardozo
651 Gateway Blvd., Suite 900
South San Francisco, CA 94080

Gary Fay, Hearing Officer
California Energy Commission
1516 Ninth Street, MS-9
Sacramento, CA 95814

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pao@energy.state.ca.us

DECLARATION OF SERVICE

I, LOIS NAVARROT, declare that on May 25, 2006, I deposited copies of the attached Letter dated May 23, 2006 directed to the California Energy Commission from the City of Avenal in the United States mail at Sacramento, California, with first class postage thereon fully prepared and addressed to those identified on the Proof of Service list above. Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5 and 1210. I declare under penalty of perjury that the foregoing is true and correct.



Lois Navarrot