

Maggie Read - Fwd: Re: 03-AFC-02 LECEF Phase 2 -Request for Leave to File Reply Brief

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| 03-AFC-2 |
| DATE AUG 05 2005 |
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From: Gary Fay
To: Maggie Read
Date: 8/5/2005 4:11 PM
Subject: Fwd: Re: 03-AFC-02 LECEF Phase 2 -Request for Leave to File Reply Brief

To all parties to the Los Estero 2 proceeding (Docket No. 03-AFC-2)-
 In response to CARE's request to accommodate vacation schedules, the Committee will extend the deadline for filing reply briefs until **NOON on Monday, August 22, 2005.**

Gary Fay
 Hearing Officer
 Los Esteros, Phase 2

>>> <Sarveybob@aol.com> 08/05/05 8:54 AM >>>

CARE agrees with staff that the current record has been fully briefed and there is no need for additional briefing unless CARE's request for rehearing is granted. CARE objects for the record to the filing of reply briefs. Since the committee has already granted leave to file reply briefs, CARE requests that their reply brief deadline be extended to August 22 due to vacation schedules.

Thank you Bob Sarvey

35185

From: Gary Fay
To: Caryn Holmes
Date: 08/03/2005 3:17:36 PM
Subject: Re: 03-AFC-02 LECEF Phase 2 -Request for Leave to File Reply Brief

To all parties to the Los Estero 2 proceeding (Docket No. 03-AFC-2)-
By electronic communication, Los Esteros Critical Energy Facility, LLC has requested leave to file a Reply Brief. Applicant has electronically served its request on the Hearing Officer and upon all parties. CAPE has objected to the request and CEC staff, while not objecting, has requested the deadline for any Reply briefs be Friday, August 19, 2005 due to personnel limitations.

The parties are hereby given leave, though are not required, to file reply briefs on Friday, August 19, 2005.

Gary Fay
Hearing Officer
Los Esteros, Phase 2
Docket No. 03-AFC-2

>>> Caryn Holmes 08/03/05 1:58 PM >>>

Mr. Fay - staff believes that all the issues in this case have been fully explored by the parties and that a Reply Brief is not necessary. However, we will not object should the Committee decided to allow Reply Briefs to be filed. Given that both counsel that have worked on the case - Dick Ratliff and Bill Staack - are currently on vacation, we do request that any such briefs not be required until August 19, 2005.

Please do not hesitate to contact me if you have any questions.

cjh

>>> "Greggory L. Wheatland" <glw@eslawfirm.com> 08/02/05 4:16 PM >>>

Gary Fay, Hearing Officer
California Energy Commission
1516 Ninth St.
Sacramento CA 94563

Dear Mr. Fay:

By this electronic communication, Los Esteros Critical Energy Facility, LLC requests leave to file a Reply Brief in

Application 03-AFC-2 (LECEF II, Phase 2).

We request that each party be allowed until August 15, 2005 to file a Reply Brief.

Pursuant to your instructions to me in our telephone conversation today, I am sending a copy of this request electronically to all parties of record in this proceeding.

In addition, you have asked me to convey in this email message that if any party objects to this request for leave to file a Reply Brief, that they submit their objection to you (with a copy to all parties of record) as soon as possible.

Thank you.

Gregg Wheatland
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CC: Bob Eller; ddavy@ch2m.com; Dick Ratliff; Docket Optical System; Gregory L. Wheatland; jch@rb2.swrcb.ca.gov; jmiller@caiso.com; Lance Shaw; ljaimed@scvwd.dst.ca.us; mdjoseph@adamsbroadwell.com; Michael Boyd; mtollstr@arb.ca.gov; rich.buikema@ci.sj.ca.us; Robert Worl; rletzloff@calpine.com; sarveybob@aol.com; steve4155@astound.net; William Staack