



City of Carlsbad

Office of the City Manager

January 22, 2008

MR. MIKE MONASMITH
SITING PROJECT MANAGER
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS-15
SACRAMENTO, CA. 95814

DOCKET	
07-AFC-6	
DATE	<u>JAN 22 2009</u>
RECD.	<u>JAN 22 2009</u>

**RE: CARLSBAD ENERGY CENTER PROJECT (07-AFC-6)
DATA RESPONSES SET 3C – NO RESPONSE BY APPLICANT**

Dear Mr. Monasmith:

On September 19, 2008, you forwarded correspondence to Tim Hemig of NRG Energy Inc., applicant for the above noted project, regarding the City of Carlsbad's third set of Data Requests (#62-141), which were submitted in response to our review of the applicant's July 25, 2008 Project Enhancement and Refinement supplement to its AFC. Within said correspondence, you instructed the applicant to provide identified data responses needed to complete the Preliminary Staff Assessment (PSA) within 30 days. The remainder of responses was to be provided by the applicant prior to the PSA workshops which were recently held on January 7 and 8, 2009. Please note for the record that the City did not receive the responses to the remaining data requests prior to the noted workshops, and has not received these responses as of the date of this correspondence.

The applicant has not responded completely to the City of Carlsbad's third Data Requests submitted in September, 2008, and the City is not aware that the applicant filed the required notice indicating an inability or objection to do so within the required twenty (20) days of your notice. Therefore, the City of Carlsbad is requesting that the applicant be instructed to immediately respond to the subject Data Requests. This information is necessary in order for the City to complete its comprehensive review of the project, the environmental document, and to provide comments to the CEC on said project.

If you have any questions regarding this correspondence and/or the City's review of the subject application, please contact my office at (760) 434-2893 or jgaru@ci.carlsbad.ca.us.

Sincerely,

JOE GARUBA
Municipal Projects Manager

cc: Proof of Service List





BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION
FOR THE **CARLSBAD ENERGY
CENTER PROJECT**

Docket No. 07-AFC-6
PROOF OF SERVICE
(Revised 1/12/2009)

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

David Lloyd
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APPLICANT'S CONSULTANTS

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COUNSEL FOR APPLICANT

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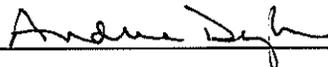
DECLARATION OF SERVICE

I, Andrea Dykes, declare that on Jan. 22, 2009 I deposited copies of the attached document in the United States mail at Carlsbad, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.



Attachment