

DOCKET
07-AFC-7

DATE	OCT 06 2009
RECD.	OCT 06 2009

October 6, 2009

California Energy Commission
Docket Unit
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: **NOTICE OF WITHDRAWAL OF APPLICATION FOR CERTIFICATION
DOCKET NO. (07-AFC-7)**

Enclosed for filing with the California Energy Commission is the original **NOTICE OF WITHDRAWAL OF APPLICATION FOR CERTIFICATION**, for the Kings River Conservation District Community Power Plant (07-AFC-7).

Sincerely,



Marie Mills

Scott A. Galati
David L. Wiseman
GALATIBLEK, LLP
455 Capitol Mall, Suite 350
Sacramento, CA 95814
(916) 441-6575

STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

Application for Certification for the
Kings River Conservation District's
Community Power Plant

DOCKET NO. 07-AFC-07

**NOTICE OF WITHDRAWAL OF
APPLICATION FOR CERTIFICATION**

Pursuant to Title 20, section 1709.8 and 1707 of the California Code of Regulations, Kings River Conservation District (KRCD) hereby files this Notice of Withdrawal of Application for Certification (AFC) for the Community Power Plant. On September 27, 2007, KRCD filed an AFC with the California Energy Commission (Commission). That AFC was deemed complete on December 5, 2007. On April 30, 2009, KRCD filed a request with the AFC Siting Committee that the AFC proceeding be suspended. The AFC Siting Committee granted the Suspension on May 4, 2009.

Delays in implementation of Community Choice, ongoing economic conditions, continued limitations in the credit markets, and fiscal issues affecting local governments are all factors impacting KRCD's ability to move forward with the proposed power plant. Therefore, KRCD's Board of Directors has decided to withdraw the AFC.

KRCD submits this verified statement attesting that KRCD understands by submitting this document the Application for Certification for the Community Power Plant will be removed from the California Energy Commission's review.

As General Manger of KRCD, I hereby attest, under penalty of perjury, that the contents of this Notice of Withdrawal of the AFC are true and accurate to the best of my knowledge.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Orth', written over a horizontal line.

David Orth
General Manager, Kings River Conservation District



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 *KINGS RIVER CONSERVATION
DISTRICT COMMUNITY POWER PROJECT*

Docket No. 07-AFC-7

PROOF OF SERVICE
(Revised 2/25/2009)

APPLICANT

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INTERESTED AGENCIES

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INTERVENORS

ENERGY COMMISSION

DECLARATION OF SERVICE

I, Ashley Y. Garner, declare that on October 6, 2009, I served and filed copies of the attached **NOTICE OF WITHDRAWAL OF APPLICATION FOR CERTIFICATION**. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

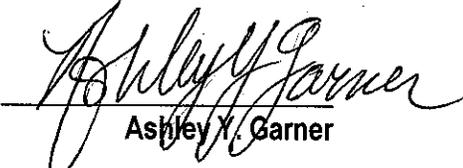
sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (**preferred method**);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-7
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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


Ashley Y. Garner