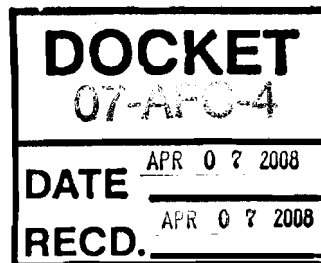


**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA**

**APPLICATION FOR  
CERTIFICATION FOR THE CHULA  
VISTA ENERGY UPGRADE  
PROJECT**

**DOCKET NO. 07-AFC-4  
(AFC filed 08/10/07)**

**MMC ENERGY, INC'S STATUS REPORT NUMBER 3**



Jane E. Luckhardt  
DOWNEY BRAND LLP  
555 Capitol Mall, 10th Floor  
Sacramento, California 95814  
Telephone: (916) 444-1000  
FAX: (916) 444-2100  
E-mail: [jluckhardt@downeybrand.com](mailto:jluckhardt@downeybrand.com)  
**Attorney for MMC Energy, Inc.**

April 7, 2008

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MMC and all other entities including the San Diego Air Pollution Control District and the California Independent System Operator have provided all of the information needed for California Energy Commission Staff ("Staff") to complete the Preliminary Staff Assessment (PSA) for the Chula Vista Energy Upgrade Project ("Project"). MMC understands from Staff that the PSA will be completed in the second week of April.

MMC appreciates Staff's dedication and effort to this Project. Nonetheless, MMC is concerned about the overall permitting timeline for this Project. Very few licensing projects are moving through the California Energy Commission within the statutory year timeframe. The Project will use an existing site, will use existing transmission, gas and water infrastructure and will use a system protection scheme to address any system overloads. There are members of the public and intervenors with concerns about the Project, but the Project itself poses few issues. Therefore, MMC requests the Committee and the Staff look for opportunities to get the Project's permitting schedule back on the one year timeframe. This Project can be constructed prior to the peak season in the summer of 2009 only if the Committee maintains a careful eye on this proceeding.

MMC thanks in advance the Staff and Committee for looking for ways to meet the initial 12-month schedule for evaluating this Project.

DATED: April 7, 2008

DOWNEY BRAND LLP

By: \_\_\_\_\_/s/  
Jane E. Luckhardt

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**APPLICATION FOR CERTIFICATION FOR  
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DOCKET NO. 07-AFC-4

**PROOF OF SERVICE  
(Revised January 3, 2008)**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 07-AFC-4  
1516 Ninth Street, MS-14  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

Harry Scarborough Vice President MMC Energy Inc. 11002 Ainswick Drive Bakersfield, CA 93311 <a href="mailto:hscarborough@mmcenergy.com">hscarborough@mmcenergy.com</a>	Douglas M. Davy, Ph.D. Senior Project Manager CH2M Hill 2485 Natomas Park Drive, Suite 600 Sacramento, CA 95833 <a href="mailto:ddavy@ch2m.com">ddavy@ch2m.com</a>
Steven Blue Project Manager Worley Parsons 2330 E. Bidwell, Suite 150 Folsom, CA 95630 <a href="mailto:steven.blue@worleyparsons.com">steven.blue@worleyparsons.com</a>	Jane Luckhardt, Esq. Downey Brand LLP 555 Capitol Mall, 10th Floor Sacramento, CA 95814 <a href="mailto:jluckhardt@downeybrand.com">jluckhardt@downeybrand.com</a>
Larry Tobias Ca. Independent System Operator 151 Blue Ravine Road Folsom, CA 95630 <a href="mailto:ltobias@caiso.com">ltobias@caiso.com</a>	Electricity Oversight Board 770 L Street, Suite 1250 Sacramento, CA 95814 <a href="mailto:esaltmarsh@eob.ca.gov">esaltmarsh@eob.ca.gov</a>

<p>California Unions for Reliable Energy (CURE)  c/o Marc D. Joseph  Gloria Smith  Suma Peesapati  Adams, Broadwell, Joseph &amp; Cardozo  601 Gateway Blvd., Suite 1000  South San Francisco, CA 94080  <a href="mailto:mdjoseph@adamsbroadwell.com">mdjoseph@adamsbroadwell.com</a>  <a href="mailto:gsmith@adamsbroadwell.com">gsmith@adamsbroadwell.com</a>  <a href="mailto:speesapati@adamsbroadwell.com">speesapati@adamsbroadwell.com</a></p>	<p>City of Chula Vista, California  c/o Charles H. Pomeroy  Caren J. Dawson  McKenna, Long &amp; Aldridge, LLP  444 South Flower Street  Los Angeles, CA 90071  <a href="mailto:cpomeroy@mckennalong.com">cpomeroy@mckennalong.com</a>  <a href="mailto:cdawson@mckennalong.com">cdawson@mckennalong.com</a></p>
<p>Environmental Health Coalition  Diane Takvorian &amp; Leo Miras  401 Mile of Cars Way, Suite 310  National City, CA 91950  <a href="mailto:DianeT@environmentalhealth.org">DianeT@environmentalhealth.org</a>  <a href="mailto:LeoM@environmentalhealth.org">LeoM@environmentalhealth.org</a></p>	
<p><b><u>ENERGY COMMISSION</u></b></p> <p>Jackalyne Pfannenstiel, Chair  Presiding Committee Member  <a href="mailto:jpfannen@energy.state.ca.us">jpfannen@energy.state.ca.us</a></p> <p>James D. Boyd, Vice Chair  Associate Committee Member  <a href="mailto:jboyd@energy.state.ca.us">jboyd@energy.state.ca.us</a></p> <p>Raoul Renaud  Hearing Officer  <a href="mailto:rrenaud@energy.state.ca.us">rrenaud@energy.state.ca.us</a></p>	<p>Chris Meyer  Project Manager  <a href="mailto:cmeyer@energy.state.ca.us">cmeyer@energy.state.ca.us</a></p> <p>Kevin Bell  Staff Counsel  <a href="mailto:kbell@energy.state.ca.us">kbell@energy.state.ca.us</a></p> <p>Public Adviser's Office  <a href="mailto:pao@energy.state.ca.us">pao@energy.state.ca.us</a></p>

**DECLARATION OF SERVICE**

I, Lois Navarrot, declare that on April 7, 2008, I deposited copies of the attached **MMC ENERGY, INC.'s STATUS REPORT #3** in the United States mail at Sacramento, California 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 the 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.

/s/

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Lois Navarrot

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