

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5512

**NOTICE OF RECEIPT
PETITION TO AMEND
THE ENERGY COMMISSION DECISION FOR THE
OTAY MESA ENERGY CENTER PROJECT (99-AFC-5C)**

On July 1, 2008, the Otay Mesa Energy Center, LLC filed a complete petition with the California Energy Commission requesting a change to various air quality conditions of certification that were the subject of the project's Amendment 1B, Order 04-0121-08. The 510-megawatt project was certified by the Energy Commission on April 18, 2001. The facility is being constructed in the eastern portion of the Otay Mesa area in San Diego County.

DESCRIPTION OF PROPOSED MODIFICATION

The petition proposes to amend air quality conditions of certification that appear in Amendment 1B, Order 04-0121-08, dated January 21, 2004. The proposed changes would affect Conditions of Certification **AQ-21; AQ-22; AQ-23; AQ-36; AQ-37; AQ-38; AQ-39; AQ-40; AQ-42; AQ-59; AQ-60; AQ-61** and **AQ-83**, regarding emission limits. A similar amendment to modify the San Diego Air Pollution Control District's Final Determination Of Compliance conditions is being processed concurrently.

ENERGY COMMISSION REVIEW PROCEDURES

The purpose of the Energy Commission's review process is to assess the impacts of this proposal on environmental quality and public health and safety. The review process includes an evaluation of the consistency of the proposed change with the Energy Commission's Decision and if the project, as modified, will remain in compliance with applicable laws, ordinances, regulations, and standards (Title 20, Calif. Code of Regulations, section 1769). Energy Commission staff is currently analyzing the request and plans to publish an analysis in about six weeks. A public hearing for the purpose of approving or denying the amendment proposal will subsequently be held at a regularly scheduled Energy Commission business meeting.

This Notice of Receipt is being mailed to interested parties and property owners adjacent to the project site who may want to participate in the amendment process.

The petition is available on the Energy Commission's website at <http://www.energy.ca.gov/sitingcases/otaymesa/index.html>. The staff analysis (when published), will also be posted on the website. If you would like to receive a hard copy of the petition, and/or staff's analysis and the Commission order, please complete the enclosed Information Request Form and return it to the address shown.

If you have any comments or questions, please contact Donna Stone, Compliance Project Manager, at (916) 654-4745, or by fax to (916) 654-3882, or via e-mail at: dstone@energy.state.ca.us within 14 days of the date of this notice.

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For further information on how to participate in this proceeding, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at pao@energy.state.ca.us. If you require special accommodations, please contact Lourdes Quiroz at (916) 654-5146. News media inquiries should be directed to the media office at (916) 654-4989, or by e-mail at mediaoffice@energy.state.ca.us.

Date: _____

EILEEN ALLEN, Manager
Siting and Compliance Office
Energy Facilities Siting Division

Enclosure: Information Request Form

Mail List # 708