

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Integrate and Refine
Procurement Policies and Consider Long-Term
Procurement Plans

Rulemaking 10-05-006
(Filed May 6, 2010)

**MOTION FOR PARTY STATUS OF
STARWOOD POWER MIDWAY LLC**

Donald C. Liddell
DOUGLASS & LIDDELL
2928 2nd Avenue
San Diego, California 92103
Telephone: (619) 993-9096
Facsimile: (619) 296-4662
Email: liddell@energyattorney.com

Counsel for
STARWOOD POWER MIDWAY LLC

October 10, 2011

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Starwood Power Midway LLC (“Midway”) respectfully moves for party status in this proceeding in accordance with Section 1.4 of the California Public Utilities Commission’s Rules of Practice and Procedure.

I. DESCRIPTION OF MIDWAY

Midway owns a 120 MW simple-cycle natural gas peaking electrical generating facility located within western Fresno County, and is party a long-term contract to sell electric capacity and energy to Pacific Gas & Electric Company. There are no provisions in the contract that explicitly allow Midway to pass through or recover AB32 costs.

II. MIDWAY’S INTEREST IN THIS PROCEEDING

On September 23, 2011 the Independent Energy Producer’s Association filed a *Motion for Expedited Determination of Issue* (“IEP Motion”). By this Motion for Party Status, Midway seeks party status in order to file comments on the IEP Motion that are currently lodged with the Commission’s Docket Office, pending a ruling granting this Motion for Party Status.

Midway’s comments on the IEP Motion relate directly to potential significant impact that the issues discussed therein may have on Midway’s ability to do business in California. In addition to filing comments, Midway contemplates otherwise participating appropriately as an active party in this proceeding. Midway’s interests are not represented by any party to this proceeding, and its comments are directly relevant to the issues raised by the IEP Motion.

III. NOTICE

Service of notices, orders, and other communications and correspondence in this proceeding should be directed to Midway's counsel at the address set forth below:

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IV. CONCLUSION

Midway's participation in this proceeding will not prejudice any party and will not delay the schedule or broaden the scope of the issues in the proceeding. For the reasons stated above, Midway respectfully requests that the Commission grant this Motion for Party Status and direct the Docket Office to accept Midway's comments for filing.

Respectfully submitted,



Donald C. Liddell
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San Diego, California 92103
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Email: liddell@energyattorney.com

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