

**FILED**

**MAY 17 2011**

HEARING BOARD  
BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT

**Kris Perez Krow**  
Clerk, Hearing Board  
Bay Area Air Quality  
Management District

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BEFORE THE HEARING BOARD  
OF THE  
BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
STATE OF CALIFORNIA

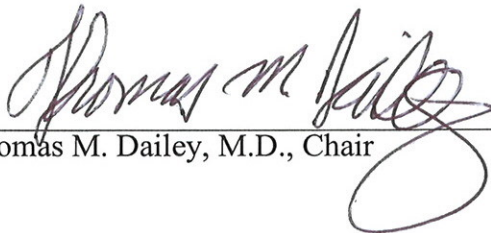
In the Matter of the Appeal of )  
)  
**LOS ESTEROS CRITICAL ENERGY** )  
**FACILITY** )  
)  
From the Issuance of Authority to Construct )  
Renewal for the Los Esteros Critical Energy )  
Facility, Application No. 8859, Plant No. )  
13289 )

Docket No. 3614

ORDER FOR DISMISSAL

The above-entitled matter, being an Appeal from Authority to Construct Renewal for the Los Esteros Critical Energy Facility, Application No. 8859, Plant No. 13289, located at 1515 Alviso-Milpitas Road, San Jose, California, and Appellant, on May 9, 2011, having withdrawn its appeal request

FOR GOOD CAUSE, in accordance with Section 5.7 of the Hearing Board Rules, the HEARING BOARD ORDERS that the Appeal be and is hereby dismissed.

  
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Thomas M. Dailey, M.D., Chair

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May 10, 2011  
Date