BEFORE THE ENVIRONMENTAL APPEALS BOARD UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C.

In re:)	
Calpine Corporation (Moapa Paiute Energy Center)) PSD Appeal No. 04-02	
PSD Permit No. NV 01-01) _) _)	
ORDER DISMISSING PET	TITION FOR REVIEW	
On October 20, 2004, the State of Nevada filed a notice of withdrawal of its petition for		
review in the above-captioned matter. It is our understanding, based on the parties' earlier		
filings requesting additional time to resolve the case, that the parties have settled the underlying		
issues upon which the permit appeal was based. Accordingly, the State of Nevada's petition for		
review is hereby DISMISSED WITH PREJUDICE .		
So ordered.		
ENV	RONMENTAL APPEALS BOARD	
Dated: October 20, 2004 By:	/s/ Edward E. Reich Environmental Appeals Judge	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petition for Review in the matter of Calpine Corporation (Moapa Paiute Energy Center), PSD Appeal No. 04-02, were sent to the following persons in the manner indicated:

By Facsimile and First Class U.S. Mail:

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Date:_	October 20, 2004	/s/
		Annette Duncan
		Secretary