

NOTE: This disposition is nonprecedential.



United States Department of the Interior  
Office of Hearings and Appeals  
Interior Board of Land Appeals  
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May 19, 2016

IBLA 2016-131	)	LLCAN020-16-001, <i>et al.</i>
	)	
	)	Geothermal Leases
CALPINE CORPORATION	)	
	)	Motion to Dismiss Granted;
	)	Appeal Dismissed

ORDER

Calpine Corporation (Calpine) has appealed from and petitioned to stay the effect of a February 25, 2016, decision issued by the Field Manager, Applegate (California) Field Office, Bureau of Land Management (BLM). In its decision, BLM denied in part Calpine's request to delay compliance of Order LLCAN020-16-002, wherein BLM required Calpine to perform, and report the results of, mechanical integrity tests on certain wells associated with Calpine's Federal geothermal leases.

Before we could address Calpine's stay petition, the company voluntarily moved the Board to dismiss because it no longer wished to pursue this appeal. BLM did not respond to Calpine's motion.<sup>1</sup> The Board was prepared to act on that motion when we received Calpine's Unopposed Motion to Stay Appeals. In that pleading, Calpine moved the Board to place this appeal on our inactive docket pending further developments in on-going Federal litigation over the status of its Federal geothermal leases.

On May 6, 2016, the Board issued to Calpine an Order to Show Cause, wherein we directed Calpine to clarify whether it sought dismissal or suspension of this appeal. Calpine responded that it wants the Board to dismiss this appeal. BLM replied to Calpine's response; BLM does not object to this appeal's dismissal.

Based on the parties' representations, we grant Calpine's motion to dismiss its appeal, which renders moot its stay petition.<sup>2</sup>

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<sup>1</sup> See 43 C.F.R. § 4.407(b).

<sup>2</sup> See *id.* § 4.407(c).

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior,<sup>3</sup> we dismiss this appeal from our docket.

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/s/  
James K. Jackson  
Administrative Judge

I concur:

\_\_\_\_\_  
/s/  
James F. Roberts  
Deputy Chief Administrative Judge

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<sup>3</sup> 43 C.F.R. § 4.1.