

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 20, SUBREGION 37**

PUNA GEOTHERMAL VENTURE,)
)
 Employer,)
)
 v.) Case No. 20-RC-078220
)
INTERNATIONAL BROTHERHOOD OF)
ELECTRICAL WORKERS, LOCAL 1260,)
)
 Petitioner.)

**PUNA GEOTHERMAL VENTURE’S REQUEST FOR EXTENSION OF TIME TO FILE
EXCEPTIONS TO HEARING OFFICERS REPORT ON OBJECTIONS**

Respondent, PUNA GEOTHERMAL VENTURE ("PGV"), pursuant to Section 102.69 of the Rules and Regulations of National Labor Relations Board, 29 C.F.R. § 102.69, respectfully requests an extension of time to file exceptions to the Hearing Officer’s Report on Objections and supporting brief in the above-captioned matter. In support of this request, PGV states:

1. Following a three-day hearing in this case held on July 17-19, 2012, the Hearing Officer issued a report on August 27, 2012 recommending PGV’s five objections be overruled and the INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 1260 (“Petitioner”) be certified as the collective bargaining unit representative.
2. Pursuant to Section 102.69 of the Rules and Regulations of National Labor Relations Board, 29 C.F.R. § 102.69, PGV’s current due date for filing exceptions to the Hearing Officer’s Report on Objections and supporting brief is September 10, 2012.
3. On September 5, 2012, counsel for PGV emailed counsel for the Petitioner regarding PGV’s desire for additional time. At the time of submission, counsel for the Petitioner has not responded.

4. As further explained in the attached declaration, Charles S. Birenbaum, lead counsel for PGV, is scheduled to act as lead spokesperson in negotiations in a contract expiring at the end of this month in New Mexico; is involved in a contractual No Strike dispute with a union requiring expedited arbitration as soon as next week if current settlement negotiations do not resolve the dispute; is preparing to act as an arbitrator in a case set to begin next week; is set to arbitrate one other case; and is set to respond to five unfair labor practice charges, three in Region 28 and two in Region 20.

5. This request for additional time is not made for the purposes of harassment or undue or undue delay, nor is it due to any oversight or lack of diligence on the part of PGV.

WHEREFORE, PGV respectfully requests that the Board extend the deadline for PGV to file exceptions to the Hearing Officer's Report on Objections and supporting brief in the above-caption matter by fourteen (14) additional days until September 24, 2012.

Respectfully submitted,

PUNA GEOTHERMAL VENTURE.

By: s/Charles S. Birenbaum
One of Its Attorneys

Charles S. Birenbaum
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CERTIFICATE OF SERVICE

April L. Weaver, one of the attorneys for PGV, hereby certifies pursuant to Section 102.114(i) of the Board's Rules and Regulations that she notified Amy Ejercito via electronic mail of PGV's intention to file the foregoing REQUEST FOR EXTENSION OF TIME TO FILE EXCEPTIONS AND SUPPORTING BRIEF TO HEARING OFFICER'S REPORT ON OBJECTIONS electronically under the National Labor Relations Board's e-filing program and further caused a true and correct copy of the foregoing document to be served upon:

Amy Ejercito
Sr. Assistant Business Manager and General Counsel
International Brotherhood of Electrical Workers, Local 1260
2305 S. Beretania Street
Honolulu, HI 96826
aejercito@ibew1260.org

Lester A. Heltzer
Executive Secretary
Office of the Executive Secretary
National Labor Relations Board
1099 14th Street, N.W.
Washington, D.C. 20005-3419

Joseph F. Frankl
Regional Director
National Labor Relations Board, Region 20
901 Market Street, Suite 400
San Francisco, CA 94103

via electronic mail, where indicated, and Federal Express overnight delivery service, this 5th day of September 2012.

s/April L. Weaver
April L. Weaver

Declaration of Charles S. Birenbaum

1. I, Charles S. Birenbaum, am a partner at Winston & Strawn LLP and am acting as lead counsel to Puna Geothermal Venture in relation to Case 20-RC-078220. I have personal knowledge of the facts set forth in this Declaration, and if called upon to testify, could and would competently testify to these facts.
2. I am lead spokesperson in negotiations with National Union of Hospital and Health Care Employees District 1199NM AFSCME/AFL-CIO ("District 1199NM") on behalf of a client in New Mexico. The parties' contract is set to expire on September 30, 2012 and the parties have bargained for several days each week for the past several weeks. The parties have several additional dates of bargaining scheduled prior to expiration of the contract, all of which take place in New Mexico.
3. Additionally, on behalf of the same client as Number 2, above, I am lead counsel in the current No-Strike dispute between the client and District 1199NM. The parties are in settlement discussions this week, and if the matter remains unresolved, the parties will proceed to contractual expedited arbitration before the end of the month. On behalf of the same client, I am lead counsel in two scheduled arbitrations in New Mexico and three currently pending ULPs before the NLRB. These matters are all currently active.
4. In addition, on behalf of a client in California, I am lead counsel in two current pending ULPs in Region 20. One ULP has a position statement due September 10, 2012.
5. Lastly, I am scheduled to act as an arbitrator in a case set for a three-day hearing next week. This case has been scheduled for several months.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and was executed in Santa Fe, New Mexico on September 5, 2012.

Charles S. Birenbaum/mcm

WINSTON
& STRAWN
LLP

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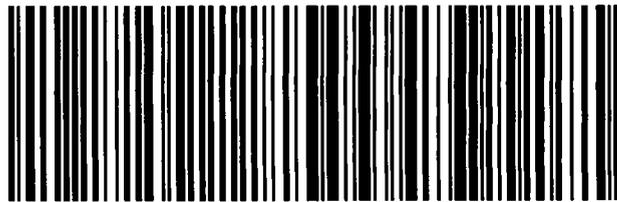
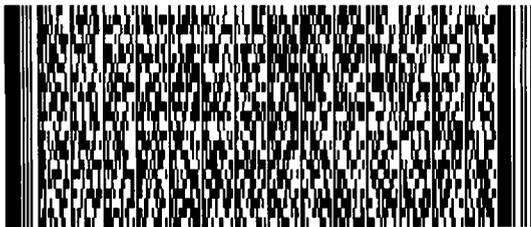
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