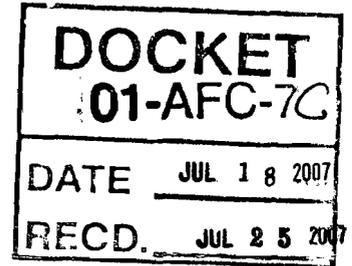


July 18, 2007

Eric Knight
Senior Planner/Supervisor
California Energy Commission
Energy Facilities Siting Division
Community Resources Unit
1516 Ninth Street, MS-40
Sacramento, CA 95814



Re: Russell City Energy Center Amendment - Elimination of the "Wave"

Dear Mr. Knight:

The Energy Commission's June 2007 staff assessment on page 4.12-21 indicates the Russell City Energy Center (RCEC) as currently proposed may not "comply with the City of Hayward's General Plan policies pertaining to urban design near an important gateway into the city" due to elimination of the previously proposed architectural element identified as the "Wave."

As the October 11, 2005, Hayward City Council agenda report and related meeting minutes note that the Hayward City Council agreed with staff's assessment that the new location made the plant less visible and the screening proposed by the wave was unnecessary. Additionally, deletion of the wave eliminated another concern: perching by raptors. For these and other aesthetic considerations, removal was supported by the Council.

Please let me know if you need any further clarification on this issue.

Sincerely,

Fran David
Acting City Manager

Cc: Susan Daluddung, CED Director
Robert Bauman, Public Works Director
David Rizk, Planning Manager

Office of the City Manager

777 B Street • Hayward • CA • 94541-5007
Tel: 510-583-4300 • Fax: 510-583-3601 • Website: www.hayward-ca.gov

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA

Amendment to the APPLICATION
FOR CERTIFICATION OF THE
RUSSELL ENERGY CENTER
POWER PLANT PROJECT

Docket No. 01-AFC-7C
PROOF OF SERVICE
(Revised 7/6/07)

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
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DECLARATION OF SERVICE

I, Marci Errecart, declare that on July 25, 2007, I deposited copies of the attached: 7/18/07 Letter from the City of Hayward to Eric Knight re: Elimination of the "Wave" in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.



Marci Errecart