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September 7, 2007

California Energy Commission
Docket Unit, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512

Re: Docket No. 01-AFC-7C

DOCKET	
01-AFC-7 C	
DATE	SEP 07 2007
RECD.	SEP 07 2007

Dear Docket Unit:

Enclosed for filing with the California Energy Commission via electronic e-mail is one (1) original of the **Intervener's Comments to Paul Kramer on Comments on the Proposed Decision, Russell City Plant Amendent.**

The attached Proof of Service has been satisfied by e-mail to all parties.

Sincerely,

Paul N. Haavik,
Intervener

Paul N. Haavik
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September 7, 2007

California Energy Commission
Mr. Paul Kramer, Hearing Officer
1516 Ninth Street
Sacramento, CA 95814-5512

Re: Docket No. 01-AFC-7C

Dear Mr. Kramer:

As the Intervener for the Russell City Energy Center and a participant of the recent evidentiary hearings, held September 5, 2007, I would like to add comments for the Committee's review. Although this information will not be part of the evidence or testimony of the hearings, it may be beneficial for determining several factors in the decision making process.

Being mindful that the public must always be at the forefront of all decisions, I would like to offer to the Committee an addition to the PM 10 retro-fit fireplace program **AQ-SC12**. The Committee has recommended that the program be available to residents of Hayward the first 12 months of the program and then also available to residents of Alameda County residing west of the Oakland/East Bay Hills for the remaining period of twenty-four (24) months. I certainly agree with the Committee's proposal, but would like to add that the Cities and unincorporated communities west of the East Bay/Oakland Hills be added to **AQ-SC12**. The following are the cities and communities that are in this area: Fremont, Newark, Union City, San Leandro, Oakland, Emeryville, Albany, Piedmont, Berkeley, Alameda and the unincorporated communities of San Lorenzo and Castro Valley.

There were some concerns regarding the revisions offered by the Owner for **TRANS-10**, After reviewing these revisions, I agree with the revisions and concur that all items should be phrased in the same way. I have spoken to Mr. Greg Wheatland to confirm these revisions.

A member of the public, Mr. Andrew Wilson indicated in his statements to the Committee on September 5, 2007, that he would provide to the intervener, contact information in regards to the FAA. On August 30, 2007, Mr. Wilson spoke with Shon Wright, 202-267-3513 and Mary Jefferson, 202-267-3518, both staff members for Marion C. Blakely, FAA Administrator. Mr. Wilson also confirmed that Shon Wright had a conversation with Mr. James Adams, California Energy Commission.

In regards to the Land Use issue discussed at the Committee Conference and further Evidentiary Hearing, I have reviewed the lease provided by Mr, Greg Wheatland and overlay map. I have also discussed with Robert Bauman, Public Works Director, City of Hayward, the lease of the Aladdin Property with the Owner. It seems very appropriate to allow the owner to be granted their permit with this lease option.

If you have any questions or concerns, please contact me at your earliest convenience.

Regards,

Paul N. Haavik
Intervener

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:

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DECLARATION OF SERVICE

I, Paul N. Haavik, declare that on September 7, 2007, I deposited copies of the attached: Intervener Comments to Paul Kramer in the United States mail at Hayward, 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.

Original signed by: _____

Paul N. Haavik