

Kimberley Finn and  
Hayward residents  
26371 Chapman Court  
Hayward, CA 94545

September 26, 2007

Mr. Paul Kramer  
Hearing Officer and  
Members of the California Energy Commission,

RE: Russell City Energy Center

Dear Mr. Kramer  
And Members of the California Energy Commission,

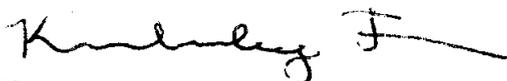
<b>DOCKET</b>	
01-AFC-7C	
DATE	SEP 26 2007
RECD.	OCT 05 2007

I and other Hayward citizens present today object to this proceeding. This is an improperly processed application for a minor modification, when in fact Calpine's December 2006 petition for amendment should have been rejected, requiring them to apply for a new application. It was a new location falling within another jurisdiction after "changed circumstances" as admitted by Calpine, and found by the City. This is not a minor modification and Calpine should not rely on any prior certification, because they never performed, as evidenced by their last minute application to obtain an extension to construct for a year.

Also, you the California Energy Commission, should not rely on any purported support by the City of Hayward. We object to that too. The record reflects that the project was never adequately presented to the public and that any purported support is without the local jurisdictions hearing from the public on the project. That legislative exercise was improperly contracted away and as a matter of law may not be relied on. Legislative bodies may not contract away their legislative obligations, and properly so.

The FAA last minute letter posted late afternoon Tuesday is difficult to respond given the less than 12 hours opportunity to review. Our question is - has anyone flown thru a plume to determine this? Is this a "common occurrence," just how reliable is this SRA report now relied on, to say it is okay to fly through plumes, although it otherwise presents clear and present danger to pilots and therefore the public detrimentally impacted by any accident?

Sincerely,



Kimberley Finn  
Jewell Spalding  
Krishneel Lall  
Juanita Gutierrez  
Ernest Pacheco