



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Adolph Martinelli
Agency Director

224
West Winton Avenue
Room 110

Hayward
California
94544-1215

phone
510.670.5333
fax
510.670.6374

www.
co.alameda.ca.us/cda

April 26, 2002

Mr. Bob Haussler,
Environmental Office Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

DOCKET
01-AFC-4
DATE APR 26 2002
RECD MAY 03 2002

Subject: East Altamont Energy Center LLC (EAEC), (01-AFC-4), County of Alameda Community Development Agency (CDA) response to California Energy Commission (CEC) letter of March 7, 2002.

Dear Mr. Haussler:

The following is a response to questions raised in your letter of March 7, 2002 (attached). In the following responses, we identify the number of the question as listed in the March 7 document, and provide a response.

In opening, County staff is confident that the proposed EAEC is consistent with all applicable policies of the Alameda County East County Area Plan (ECAP) as modified by the Measure D Initiative, and that the ECAP does not preclude construction of a power plant outside of the Urban Growth Boundary (UGB) and on lands designated for Large Parcel Agricultural use. The EAEC falls within the definition of "infrastructure" allowable under Policy 14A of the ECAP, and the electricity produced by this facility would certainly be considered a public utility. Following are answers to specific questions raised in the CEC letter.

Question No. 1: Does the County consider a power plant to be part of "urban development"? In light of the allowance of Policy 14A, this question does not touch on any relevant point with respect to the EAEC. However, in the interest of completeness, the following is provided.

In a general sense, the answer is "not inherently and not necessarily." The definition of "urban" is "of, relating to, characteristic of, or constituting a city." Therefore, the setting, circumstances, related land uses and ultimate service area for the use all play a role in helping us to determine what is meant by "urban" and whether or not a given land use may be so considered. In an urban setting, with urban infrastructure and in which a plant would serve primarily that urban area, a power plant would be an urban use. In this case, however, the siting is not urban, there is no existing substantial urban infrastructure, the plant would serve rural as well as urban areas statewide, and the presence of the plant at

PROOF OF SERVICE (REVISED 3-3-2) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 3-3-2
Reginal Rodriguez

Mr. Bob Haussler, California Energy Commission
Alameda County CDA response to CEC letter of March 7, 2002
April 26, 2002
Page 2 of 5

this location would not serve to induce additional urban growth nor would it alter the character or use of the surrounding agricultural land. In this case, then, the power plant, and any power plant not located within and designed primarily to serve an urban setting, would not be considered an urban use by Alameda County.

As this question relates to loss of agricultural land, we believe our agricultural lands mitigation agreement to be adequate to fully mitigate the loss of agricultural use on the affected parcel.

Question No. 2: What is the county's definition of "urbanized?" We define urbanize as "to cause to take on urban characteristics," or the characteristics of a city (refer to the response to Question No. 1 above).

Question No. 3: Does the County see any potential conflicts with ECAP policies 1, 15 and 17? If not, what is the rationale? Again, in light of the infrastructure allowances of Policy 14A these questions do not touch upon relevant issues.

Policy 1 addresses the urban growth boundary, beyond which urban development is not allowed. As stated above, we do not consider the EAEC development, or any similarly-sited and conceived development, as urban; no conflict exists with Policy 1. Policy 15 discusses phasing development to minimize premature loss of agricultural land, and avoidance of leapfrog development is implied as a primary goal. The proposed EAEC is a stand-alone project, designed to serve the basic need for energy statewide, and would not induce growth, including leapfrog development. Urbanization is not relevant to this question. Policy 17 again discusses the role of the urban growth boundary; again, this project is not considered by the County to be an urban development, or to contribute to the urbanization of a rural area.

Question No. 4: Is a power plant use consistent with preservation of "open space areas" as presented under [Policy 56, Sensitive Lands and Regionally Significant Open Space] and defined in ECAP? If yes, please explain the rationale. For the uses defined under this policy, including health and safety, recreational opportunities, production of natural resources, protection of sensitive viewsheds as defined in the ECAP, biological preservation and physical separation of communities, the answer is "yes." The placement of the proposed power plant in this setting would not significantly compromise any of the values stated in this policy, especially with the mitigation that is being proposed for biological resources and loss of farmland. County staff does not see a significant or unavoidable inconsistency with the proposed use. This is further clarified by Policy 58 [Sensitive Lands and Regionally Significant Open Space]: The County shall approve only open space, park, recreational, agricultural, limited infrastructure, public facilities (e.g., limited infrastructure, hospitals, research facilities, landfill sites, jails, etc.) and other similar and compatible uses outside the Urban Growth Boundary.

Mr. Bob Haussler, California Energy Commission
Alameda County CDA response to CEC letter of March 7, 2002
April 26, 2002
Page 3 of 5

Question No. 5: Does the County believe that the EAEC would conform with Policy 76 (preservation of the Mountain House area for agricultural use)? If yes, please explain the rationale. Policies 75 and 76 of the ECAP promote conservation of prime soils and preservation of intensive agricultural use. The CDA staff believe that the project as proposed, without mitigation, would have been inconsistent with these specific policies, and its construction would have resulted in environmental impacts based on these policies. However, the applicant has agreed to mitigate these effects through the preservation of existing farmland on the remainder of the parcel, as well as providing funding to Alameda County for acquisition and preservation of additional agricultural land in the County that would fully mitigate the project's policy impacts. CEC Staff has reviewed a copy of this agreement. With the negotiated agreement in place, the CDA staff believes that the EAEC will be consistent with Policies 75 and 76 of the ECAP.

Question No. 6: How would a power generation facility be a consistent use within the "A" District according to [ECAP Policy 81A, which allows agricultural processing facilities and limited agricultural services...and are not detrimental to long-term agricultural use...] This policy does not absolutely limit the uses in the "A" District to uses that fit these descriptions, when those other uses fall under the provisions of Policy 14A, which allows certain types of public uses, public facilities and infrastructure in support of public utilities. In Policy 14A, the County defines infrastructure as "public facilities, community facilities, and all structures and development necessary to the provision of public services and utilities." County Staff believes that the project is appropriately called a "public facility" as well as "structures and development necessary to the provision of...public utilities" because it would substantially serve a key need of the public at large. County staff have also explained in the past that the proposed EAEC fits within the reasonable definition of "infrastructure," and that the reason for this position is transparent given the definition in the policy. When the ECAP is taken comprehensively and in context, it is evident that the proposed project would be consistent with the provisions of the ECAP, including Policy 81A.

Question No. 7: Does the County consider a merchant power plant to be a "public utility?" County staff considers it to be a "public facility" as described above under Question No. 6. Production of electricity is a public utility function and under Policy 14A it is permissible to develop facilities that would help to provide this utility. The EAEC would be such a facility.

7(a) & (b): Does the County consider the proposed project a conflict with the parameters for a public utility [CEC Staff wording] presented in Policy 14A? If not, what is the rationale? No, County staff perceives no conflict. The rationale is presented above. In its lead-in comment, the CEC staff notes that the facility will be constructed as a privately owned and operated power plant, there is no guarantee that the plant will sell to Alameda County buyers, or that any local needs will be directly satisfied by the presence of this plant. This may be true, but it is disingenuous to make these claims without noting that the energy produced by this plant, whether it is sold to Alameda County or not, is placed on a grid with the electricity produced by many other sources. Whether the energy is sold directly to Alameda County or

Mr. Bob Haussler, California Energy Commission
Alameda County CDA response to CEC letter of March 7, 2002
April 26, 2002
Page 4 of 5

not, the net result will be that more energy would become available on the grid, some of which would be freed up to serve Alameda County customers, and this would be a long-term local benefit.

7(c): Does the County consider the EAEC project to be “other infrastructure”? County staff believes that it could be called “other infrastructure,” although it is not specifically that “excessive” infrastructure described in the opening sentence of Policy 14A that may be inconsistent with the Measure D Initiative, but rather the desirable infrastructure described in the last sentence of Policy 14A (see Question No. 6 above).

7(d): Is the EAEC considered to be “necessary to create adequate service for the East County”? County staff believes that the proposed project, and a number of others like it, are necessary to provide adequate service to the East County, the remainder of Alameda County, and other parts of California, especially in view of the potential for additional periods of power shortages and “rolling blackouts” that may result in the event that additional sources are not built. As stated above, County staff believe that additional electrical energy available on the grid is beneficial to all users whether or not the specific energy from that source is sold or used locally.

Question No. 8: Is the County’s interpretation of “utility corridor” consistent with the Energy Commission staff’s? If not, please provide the county definition of a “utility corridor.” We do not have a specific definition for this term; however, the question is not relevant. The infrastructure, of which the EAEC would be an example, is permitted under Policy 14A without reference to utility corridors.

Question No. 9: Does the County consider a power generation facility to be a use consistent with the amended description for “Large Parcel Agricultural” under Measure D? If yes, please explain. Yes. Policy 85 must be taken in context with the remainder of the ECAP as amended by Measure D. As explained above, uses that constitute a public facility or segment of the infrastructure necessary to provide adequate utility service to the East County and the rest of Alameda County are consistent with Measure D overall and with these two Policies.

In closing, County staff reiterates that when comparing a project against the policies of an internally consistent local General Plan document, one must account for the whole context of the General Plan document. Policies must be carefully screened for applicability to the issue at hand, or one may inadvertently mischaracterize the issue through lack of proper context, and reach conclusions that are not relevant or even incorrect. County staff strongly considers the project as proposed, and with the farmland mitigation agreement successfully adopted by the Alameda County Board of Supervisors, to be in full compliance with the Alameda County ECAP.

Mr. Bob Haussler, California Energy Commission
Alameda County CDA response to CEC letter of March 7, 2002
April 26, 2002
Page 5 of 5

This concludes ACCDA's responses to the letter of March 7, 2002. We trust that these final responses will be adequate to satisfy the CEC staff's interrogation. If you require other information or clarification of these responses, please feel free to contact Mr. Bruce Jensen at phone (510) 670-6527 or bjensen3@co.alameda.ca.us.

Very truly yours,



Adolph Martinelli,
Community Development Director

cc: Chairman Keese, California Energy Commission
Commissioner Pernell, California Energy Commission
Each Member, Alameda County Board of Supervisors
Susan Muranishi, County Administrator
Richard E. Winnie, County Counsel
James Sorensen, Planning Director
Alicia Torre, Calpine Corporation

AM/bhj

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5512

March 7, 2002

Mr. Adolph Martinelli
Agency Director
Alameda County Community Development Agency
399 Elmhurst St., Rm. 136
Hayward, CA 94544-1307

SUBJECT: East Altamont Energy Center

Dear Mr. Martinelli:

The purpose of this letter is to follow up on our meetings of November 16, 2001 and February 15, 2002, in which we discussed the applications for power generating facilities to be located within eastern Alameda County, the East Altamont Energy Center (EAEC) and the Tesla Power Plant (TPP). At these meetings we informally discussed a number of local land use questions – questions that were included in an appendix to our land use analysis section of the EAEC Preliminary Staff Assessment. Since our initial meeting, we concluded that we need a formal response to our questions regarding the EAEC and TPP projects. Therefore, we sent a February 4, 2002 letter regarding our questions on the Tesla project. This is the counterpart letter for the EAEC project.

Background

The Energy Commission sent your agency a copy of the EAEC Application for Certification (AFC) in April, 2001. The proposed project is within the boundaries of Alameda County's East County Area Plan (ECAP). A copy of the ECAP Land Use Diagram is attached for easy reference.

The Energy Commission is responsible for reviewing and ultimately approving or denying all applications for thermal electric power plants, 50 MW and greater, proposed for construction in California. The Energy Commission is the lead agency under the California Environmental Quality Act (CEQA). As part of our facility certification process, the Energy Commission must assess public health and safety impacts, environmental impacts, and engineering issues associated with a proposed power plant, as well as conformance with all applicable laws, ordinances, regulations, and standards (LORS). To gain a greater understanding of the appropriate LORS, we seek input from local, state and federal agencies such as Alameda County.

Staff has reviewed ECAP; Measure D, adopted by the voters of Alameda County on November 7, 2000; and the Alameda County zoning ordinance. In the course of preparing the land use analysis for the East Altamont project, staff has some questions regarding the project's consistency and conformance with these LORS. Members of the public as well

have questioned the EAEC project's consistency with the land use designation for the site. Energy Commission staff is therefore requesting clarification from the County of Alameda on these matters.

In general, we seek information on four issues:

- Whether the ECAP restrictions on urban development beyond the Urban Growth Boundary, and the protection of agricultural lands and open space, conflict with the construction of a power plant;
- Whether the power plant conforms to the allowable uses for the County's "A" District designation;
- Whether the project can be considered compatible with Alameda County's "Large Parcel Agriculture" general plan land use designation as amended by Measure D; and
- Whether Measure D's prohibition of public facilities or other infrastructure in excess of that needed for permissible development, allows for development of a power plant in the region as a "needed" facility.

Staff has developed a list of questions for the County on these issues. This letter is a request for a written response to the land use questions we have already discussed informally. The County staff's responses to these questions will greatly assist us in assessing whether this project, as proposed, is consistent with the County's LORS.

Staff's Specific Questions

ECAP Policies

Policies 1, 15, and 17 (Subregional Planning / Urban and Rural Development)

Policy 1 states that "[t]he County shall identify and maintain an Urban Growth Boundary that defines areas generally suitable for urban development and areas generally suitable for long-term protection of natural resources, agriculture and other productive resources, recreation, buffers between communities, and public health and safety. The Urban Growth Boundary is intended to be permanent and to define the line beyond which urban development shall not be allowed." Policy 17 further provides that "[t]he County shall approve urban development only if it is located within the Urban Growth Boundary."

Policy 15 states that "[t]he County shall phase development to minimize premature loss of agricultural land. Agricultural land may be urbanized where conversion is a part of phased growth planned to avoid discontinuous (leap-frog) development."

The EAEC project is to be located on agricultural land in an unincorporated area beyond an Urban Growth Boundary and does not appear to be part of any phased growth plan. The ECAP definition for "urban development" includes industrial land uses, which would seem to include power plants. This raises the following questions:

1. Does the County consider a power plant to be part of "urban development"?
2. What is the County's definition of "urbanized"?
3. Does the County see any potential conflicts with ECAP policies 1, 15, and 17? If not, what is the rationale?

Policy 56 (Sensitive Lands and Regionally Significant Open Space)

This policy stipulates that the County is to "preserve open space areas for the protection of public health and safety, provision of recreational opportunities, production of natural resources (e.g., agriculture, windpower, and mineral extraction), protection of sensitive viewsheds,..." The EAEC project is proposed to be located within agricultural/open space areas. Staff therefore has the following question:

4. Is a power plant a use consistent with preservation of "open space areas" as presented under this policy and defined in the ECAP? If yes, please explain the rationale.

Policy 76 (Sensitive Lands and Regionally Significant Open Space)

Policy 76 states that "[t]he County shall preserve the Mountain House area for intensive agricultural use." Intensive agricultural use, according to the ECAP definition, refers to "high yield agricultural production including vineyards, orchards, and row crops as distinguished from low-intensity agriculture such as cattle and horse grazing."

The Mountain House area includes the proposed site for the EAEC project, and staff does not understand how the power plant would be consistent with the Policy 76 requirement to preserve this area for intensive agricultural use.

5. Does the County believe that the EAEC would conform with Policy 76? If yes, please explain the rationale.

Policy 81A (Sensitive Lands and Regionally Significant Open Space)

This policy provides that the County shall permit agricultural processing facilities and limited agricultural services that support local agricultural activities and are not detrimental to long-term agricultural use in the "A-100," "A-160," and "A-320" Districts. The proposed projects are to be located within the A-100 and A-160 Districts, and do not seem to qualify as either "agricultural support facilities" or "limited agricultural services that support local agricultural activities."

6. How would a power generation facility be a consistent use within the "A" District according to this general plan policy?

Measure D-Amended Policies

Policy 14A (East County Area Plan Amendments)

Policy 14A states that "The County shall not provide nor authorize public facilities or other infrastructure in excess of that needed for permissible development consistent with the Initiative. This Policy shall not bar new, expanded, or replacement infrastructure necessary to create adequate service for the East County."

The EAEC facility would be constructed as a privately owned and operated merchant power plant that would generate power for commercial sale, and there is no guarantee that the plant will sell power to buyers within Alameda County's designated east county area. Energy Commission staff cannot say with certainty that this power plant will necessarily satisfy any "needs" within the East County. Staff therefore has the following questions:

7. Does the County consider a merchant power plant to be a "public utility"?
 - a. If yes, does the County consider the proposed project a conflict with the parameters for a public utility presented in Policy 14A?
 - b. If not, what is the rationale?
 - c. Does the County consider the EAEC project to be "other infrastructure"?
 - d. Is the EAEC considered to be "necessary to create adequate service for the East County"?

"Large Parcel Agriculture" description and Policies 81A and 85

The ECAP general plan land use designation for the EAEC site is "Large Parcel Agriculture." When the voters approved Measure D on November 7, 2000 they amended the description of "Large Parcel Agriculture" to include the following language:

"Subject to the provisions of the Initiative, this designation permits agricultural uses, agricultural processing facilities..., limited agricultural support service uses ..., secondary residential units, visitors-serving commercial facilities ..., recreational uses, public and quasi-public uses, solid waste landfills and related waste management facilities, quarries, windfarms and related facilities, utility corridors, and similar uses compatible with agriculture."

It is important to note that the Measure D amendment *deleted* from this list of allowable uses "other industrial facilities appropriate for remote areas and determined to be compatible with agriculture."

Policies 81A and 85 restate that areas designated "Large Parcel Agriculture" may include agricultural processing facilities, limited agricultural support service uses that primarily support Alameda County agriculture, and limited agriculture enhancing commercial uses that primarily support the area's agricultural production.

Finally, Measure D allows for "utility corridors" in areas designated "Large Parcel Agriculture," but staff has not been able to find a definition for what constitutes a "utility corridor" in either the ECAP or the Alameda County zoning ordinance. Staff would typically interpret a "utility corridor" to mean a passageway or strip of land for such uses as transmission lines, canals, cable, or large pipelines. Essentially, staff's understanding is that a utility corridor is a designated land area for the placement of linear facilities. This is different from land area to be used for the siting of a power generation facility. Power generation facilities are often categorized as an "industrial" land use and are required by many local land use regulations to be located in areas designated "industrial" by the City or County.

Staff's questions relating to the definition of "Large Parcel Agriculture" designation and policies 81A and 85 are as follows:

8. Is the County's interpretation of "utility corridor" consistent with Energy Commission staff's? If not, please provide the County's definition of a "utility corridor."
9. Does the County consider a power generation facility to be a use consistent with the amended description for "Large Parcel Agricultural" under Measure D? If yes, please explain.

The Energy Commission is attempting to complete the final staff assessment (FSA) for the EAEC project and wishes to advise the applicant as to the status of their project in a timely manner. We would appreciate your written responses to the questions in this letter. If you have any questions, you may contact Eileen Allen of my staff at eallen@energy.state.ca.us or call (916) 654-4082.

Sincerely,



BOB HAUSSLER, Environmental Office Manager
Systems Assessment & Facilities Siting Division

cc: Mark Hamblin, Land Use & Traffic/Transportation Unit
Cheri Davis, Project Manager – East Altamont Energy Center Project
Jack Caswell, Project Manager – Tesla Power Plant Project
Lisa DeCarlo, Staff Attorney
Darcie Houck, Staff Attorney

Attachments

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

APPLICATION FOR CERTIFICATION FOR THE
EAST ALTAMONT ENERGY CENTER
(EAST ALTAMONT)

DOCKET No. 01-AFC-4
(AFC ACCEPTED 06/27/01)

PROOF OF SERVICE
(*Revised 12/19/01)

I, **Raquel Rodriguez**, declare that on **May 3, 2002**, I deposited copies of the attached **LETTER Re EAST ALTAMONT ENERGY CENTER LLC (EAEC), (01-AFC-4) County Of Alameda Community Development Agency (CDA) response to California Energy Commission (CEC) Letter OF March 7, 2002**, in the United States mail at Sacramento, CA with first class postage thereon fully prepaid and addressed to the following:

DOCKET UNIT

Send the original signed document plus the required 12 copies to the address below:

**CALIFORNIA ENERGY COMMISSION
DOCKET UNIT, MS-4**

***Attn: Docket No. 00-AFC-4
1516 Ninth Street
Sacramento, CA 95814-5512
docket@energy.state.ca.us**

* * * *

In addition to the documents sent to the Commission Docket Unit, also send individual copies of any documents to:

APPLICANT

Richard L. Thomas
Senior Vice President
4160 Dublin Blvd
Dublin, California 94568

Ms. Alicia Torre, Project Manager
East Altamont Energy Center, LLC
4160 Dublin Blvd
Dublin, California 94568

Calpine
Steve DeYoung
4160 Dublin Blvd.
Dublin, California 94568

Calpine
Susan Strachan
P.O. Box 1049
Davis, CA 95617-1049

COUNSEL FOR APPLICANT

Ellison, Schneider & Harris L.L.P.
Gregory L. Wheatland, Esq.
2015 H Street
Sacramento, CA 95814

INTERVENOR

SJVUAPCD
C/O Seyed Sadredin
Director of Permit Services
1990 East Gettysburg Avenue
Fresno, California 93726-0244

CURE
C/O Marc D. Joseph, Esq.
Mark R. Wolfe, Esq.
Adams Broadwell Joseph & Cardozo

¹
* Revisions to POS List, i.e. updates, additions and/or deletions.

651 Gateway Blvd., Suite 900
South San Francisco, California 94080

***Robert Sarvey**
501 W. Grantline Road
Tracy, CA 95376

INTERESTED AGENCIES

California Regional Water Quality
Control Board
Central Valley Region
3443 Routier Road, Suite A
Sacramento, CA 95827

California Department of Water
Resources
Project Power Planning Branch
State Water Project Analysis Office
Michael Werner, Acting Chief
1416 9th Street
Sacramento, CA 95814

US Department of Commerce
National Marine Fisheries Service
Rebecca Lent, Ph.D.
501 West Ocean Boulevard, Suite 4200
Long Beach, CA 90802-4213

Kirk Sornborger
Western Area Power Admin
114 Parkshore Drive
Folsom, CA 95630-4710

Al Ghaffari
Stationary Source Division
California Air Resources Board
1001 I Street, 6th Floor
Sacramento, CA 95812

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


[signature]

INTERNAL DISTRIBUTION LIST

FOR YOUR INFORMATION ONLY! Parties **DO NOT** mail to the following individuals. The Energy Commission Docket Unit will internally distribute documents filed in this case to the following:

ROBERT PERNELL
Commissioner & Presiding Member
MS-33

WILLIAM J. KEESE, Chairman
Associate Member
MS-32

Major Williams, Jr.
Hearing Officer
MS-9

Cheri Davis
Project Manager
MS-15

Lisa DeCarlo
Staff Counsel
MS-14

PUBLIC ADVISER

Roberta Mendonca
Public Adviser's Office
1516 Ninth Street, MS-12
Sacramento, CA 95814
Email: pao@energy.state.ca.us

East Altamont POS

Richard L. Thomas
Senior Vice President
Calpine Corporation
50 Dublin Blvd.
Dublin, CA 94568

Ms. Alicia Torre, Project Manager
Calpine Corporation
4160 Dublin Blvd.
Dublin, CA 94568

Steve DeYoung
Calpine Corporation
4160 Dublin Blvd.
Dublin, CA 94568

Ellison, Schneider & Harris L.L.P.
Gregory L. Wheatland, Esq..
2015 H Street
Sacramento, CA 95814

California Regional Water Quality
Control Board
Central Valley Region
3443 Routier Road, Suite A
Sacramento, CA 95827

California Dept of Water Resources
Project Power Planning Branch
Michael Werner
1416 Ninth Street
Sacramento, CA 95814

US Department of Commerce
National Marine Fisheries Service
Rebecca Lent, Ph.D.
501 West Ocean Boulevard, Ste 4200
Long Beach, CA 90802-4213

Kirk Sornborger
Western Area Power Administration
114 Parkshore Drive
Folsom, CA 95630-4710

Al Ghaffari
Stationary Source Division
California Air Resources Board
1001 I Street, 6th Floor
Sacramento, CA 95812

SJVUAPCD
C/O Seyed Sadredin
Director of Permit Services
1990 East Gettysburg Avenue
Fresno, CA 93726-0244

CURE
C/O Marck D. Joseph, Esq.
Mark R. Wolfe, Esq.
Adams Broadwell Joseph & Cardozo
651 Gateway Gateway Blvd., Suite 900
S. San Francisco, CA 94080

Calpine
Susan Strachan
PO Box 1049
Davis, CA 95617-1049