Potrero Boosters Neighborhood
Association (PBNA) and Dogpatch
Neighborhood Association (DNA)
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DOCKET
04-AFC-1
DATE APR 21
RECD. APR 24

April 21, 2006

STATE OF CALIFORNIA
Energy Resources
Conservation and Development Commission

In the Matter of:	)	**Docket No.** 04-AFC-01
	)	
SAN FRANCISCO ELECTRIC RELIABILITY PROJECT APPLICATION FOR CERTIFICATION	)	**INTERVENORS POTRERO BOOSTERS NEIGHBORHOOD ASSOCIATION & DOGPATCH NEIGHBORHOOD ASSOCIATION**

MOTIONS TO
FILE LATE TESTIMONY ASSOCIATED WITH EMISSION OFFSETS
AND
REQUIRE CONDITION OF APPROVAL FOR COMMUNITY BENEFITS FUNDS

LATE TESTIMONY

The Potrero Boosters Neighborhood Association (PBNA) and Dogpatch Neighborhood Association (DNA), submit this motion to file the testimony provided below. PBNA and DNA have been fairly silent participants in this proceeding to date, not out of disinterest, but as a result of the our participation with the public outreach and positive response to issues by the San Francisco Electric Reliability Project (SFERP) team, City and County of San Francisco, and many community groups. Additionally, we work toward and fully support the agreement and action plan authored by the California Independent System Operator, which demonstrates that the successful completion of SFERP will lead to the expiration of Mirant's Potrero Plant RMR and ultimately, the closure of that Power Plant.

During the past few weeks, discussions relating to Air Emission Offsets have been held between CEC Staff and other interveners. While we have been told verbally that no new deal or conditions have been made or accepted, we feel compelled to make this motion to protect our community's long-term environmental future.

Therefore PBNA and DNA respectfully request that the Commission grant this motion for late filing based on the fact that we, along with SF Power, are the only interveners in this proceeding that truly represent the immediate area's residents and businesses.

PBNA and DNA find that left to other interveners, who while they may be sympathetic to our concerns, do not directly represent the interests of the SFERP surrounding neighborhoods. We are not

attempting to slow down either the project or the proceedings, but beg the Commission waive the procedural requirements and allow the environmentally impacted communities the opportunity to participate in the final procedures before the Commission rules on the AFC.

PBNA and DNA further urge the Commission to require SFERP through the AFC process spend $400,000 on an effective locally focused $PM^{2.5}$ offset program, rather than requiring the purchase of paper credits. Such purchases do nothing to reduce the pollutants the areas, which is inundated with the many mobile sources of two freeways, diesel locomotives of CalTrain, heavy diesel marine emissions from the active waterfront, and the heavy diesel exhaust from the City's own MUNI fleet, whose major storage and repair facility is located in the middle of Dogpatch.

The CEC staff' has attempted to develop a program that fulfills requirement that the SFERP project provide offsets for small particulate matter emissions ($PM^{2.5}$). However, PBNA and DNA strongly opposed the proposals to invest $800,000 in offset funding for fireplace and woodstove retrofits, as stated in our in our letter to the Commission, dated April 09, 2006. A copy is attached to this Motion.

Other possible mitigations have been discussed at community meetings and included peak energy reduction programs, dirty vehicle buyback programs, and a coupon program to help pay for tune-ups of older vehicles.

COMMUNITY BENEFITS PACKAGE

The San Francisco Public Utility Commission (SFPUC) held MANY meetings and workshops, and attended other community hearings held by the San Francisco Board of Supervisors Power Plant Task Force. One of the major objectives of those conferences was to craft a "community benefits package" to help mitigate impacts not addressed in the CEC's AFC process. The number one objective was to effectuate the closing of the Mirant Power Plant, but additionally, the SFPUC committed to providing $1 million in funding to support tree planning and indoor air improvement activities as part of the SFERP project.

Rather than allow this Community Benefit package to become "money available" for required mitigation, PBNA and DNA respectfully requests that the identified package be made a part of conditions for approval by this motion.

While these are complicated issues, we believe that a resolution acceptable to all parties is attainable and we request the Commission to allow such a conclusion to be achieved.

Respectfully submitted:

Dogpatch and Potrero Neighborhood Associations

By: Joe Boss

Joseph Boss April 21, 2006

Potrero Boosters Neighborhood Association (PBNA)
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April 09, 2006

James D. Boyd
John Geesman
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Subject: 04-AFC-1
San Francisco Electric Reliability Project

Dear Commissioners Boyd and Geesman:

On behalf of Intervenor Potrero Boosters Neighborhood Association and Dogpatch Neighborhood Association, I am writing to express our organizations' shock, amazement, and outrage at Intervenor Sarvey suggestion that this City foot the bill for an $800,000 boondoggle which would look for fireplaces and woodstoves to retrofit in the communities of Southeast San Francisco.

Members of our Potrero Hill communities, and the San Francisco community at large, have participated in many meetings, workshops and focus groups to discuss and evaluate exactly what sort of air mitigations would be most effective and appreciated. These gatherings reached well beyond the CEC hearings and were sponsored by our Associations, the SFPUC, and the San Francisco Board of Supervisors' Power Plant Task Force, on which I have served for over 6 years. Educational articles have been published in the local newspapers on the topic of air quality mitigation measures. In all venues, the idea of stove/fireplace replacement was resoundingly rejected for the simple reason that there are very few wood burning fireplaces and stoves used in San Francisco, and even fewer in our part of the City that enjoys warm fog free weather. We considered and rejected this type of mitigation for that simple reason. Sarvey is a resident of Tracy, NOT San Francisco, who did not participate in any of our local discussions!

Through those workshops and meetings, we worked very hard to get the City to agree to fund two important programs – $500,000 for tree planting and $500,000 for indoor air improvement. The tree planting is designed to capture particulates from the air, generate oxygen, and reduce energy consumption. We successfully argued that the 1991 E. G. McPherson "Chicago Study" was real science and convinced the City of the practical nature of the tree planting along the main freeways and roadways as lasting mitigation, not just community benefits. The indoor air quality program would improve in-home ventilation systems, clean and replace carpeting, provide advanced home-cleaning tools, and conduct educational programs targeted at asthma in our children.

We understand that if you apply the California-wide average, wood burning might appear to be an effective measure, but it is simply not applicable to our temperate neighborhood, which adjoins the Central Waterfront area, home to both the Mirant Power Plant and the proposed SFERP. The suggestion by Mr. Sarvey (and, apparently, by the CEC staff as well) that the City spend up to $800,000 on a wild goose chase for fireplaces severely jeopardizes our chances to keep the tree planting and home air quality programs on track. As City residents and (unlike Mr. Sarvey and the CEC staff) City taxpayers we are painfully aware of living in a world of finite resources.

Amazingly, the California Energy Commission recognizes ZERO air quality benefits associated with programs that the community really wants, and is now insisting that the City spend money on a fireplace retrofit program or paper emission credits to "mitigate" local air quality impacts. In our opinion, the Committee should eliminate these two conditions completely and direct the City to use these funds to increase the size of the tree planting and indoor air quality programs. We are cognizant of the general policy that assert that offsets for stationary emissions should be made with stationary emission reduction but find that in a dense, non-industrial setting within the City and County of San Francisco; such policy is not generally attainable.

We have attended enough CEC hearings to know that our concerns will most likely land on deaf ears, but we find it extremely difficult to be resigned to San Francisco and California ratepayers' money wasted on these two conditions. This is an ill-conceived idea being pushed along simply to let the project move forward. We support the project, an important part of an environmentally friendly reliable energy plan so beneficial to the Bay Area and all of California.

If the CEC staff wants a fireplace program and paper emission credits, there is little we can do—but please don't spend so much money leaving little or nothing left for the two great programs already supported by our community. Having fought long and hard with the City to get these two, real mitigation programs, we now risk losing a substantial portion of their funding for no good reason. We respectfully ask that the Committee disregard this last-minute ill-conceived proposal and let us get on with this project – and the real benefits it offers.

This last minute turn has also left us unable to respond in the scheduled CEC hearings, at which we have been silent based on the honest and straightforward process that has allowed us to create a project that satisfies all parties. This could force us to take some action, delaying a very important community supported project. Please insist Staff review this inappropriate solution.

Sincerely,

Joseph Boss
Potrero Boosters and Dogpatch Neighborhood Associations

CC: Supervisor Sophie Maxwell
Jesse Blout, Mayor's Office
Karen Kubick, SFPUC
Jeane Solé, Deputy City Attorney
Susan Eslick, Pres. DNA
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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE SAN FRANCISCO ELECTRIC RELIABILITY PROJECT

Docket No. 04-AFC-01
PROOF OF SERVICE
Revised 2/17/06

DOCKET UNIT

Instructions: *Send an original signed document plus 12 copies* ***or*** *an electronic copy plus one original paper copy to the address below:*

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 04-AFC-01
DOCKET UNIT, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512

Also send a printed ***or*** *electronic copy of all documents to each of the following:*

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DECLARATION OF SERVICE

I, Janet Carpinelli, declare that on April 21, 2006, I deposited 12 copies of the attached DNA and PBNA Motions in the United States mail at San Francisco, California with first class postage thereon fully prepaid and addressed to:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 04-AFC-O1
DOCKET UNIT, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512

And to those identified an the Proof of Service list above, by transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. I declare under penalty of perjury that the foregoing is true and correct.