

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

APPLICATION FOR CERTIFICATION FOR THE
VERNON POWER PLANT PROJECT
BY THE CITY OF VERNON

DOCKET NO. 06-AFC-4
(AFC ACCEPTED 09/14/06)

DOCKET 06-AFC-4	
DATE	OCT 4 2006
RECD.	OCT 6 2006

ORDER GRANTING PETITION TO INTERVENE

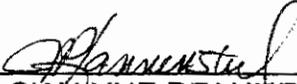
Upon consideration of the Petition to Intervene filed by the California Unions for Reliable Energy (CURE), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On September 22, 2006, a Petition to Intervene in the above-captioned proceeding was filed by:

California Unions for Reliable Energy (CURE)
Marc D. Joseph, Esq.
Gloria D. Smith, Esq.
Adams Broadwell Joseph & Cardozo
601 Gateway Blvd., Suite 1000
South San Francisco, California 94080
2. The Petition was timely filed and contains the information required by section 1207 of the Commission's regulations. (Cal. Code of Regs., tit. 20, § 1207);
3. The Applicant has filed no opposition to said Petition; and
4. Petitioner's interests are relevant to the above-captioned proceeding.

It is therefore ORDERED that the Petition to Intervene filed by CURE be GRANTED. Petitioner CURE shall be included on the Proof of Service List as an Intervenor. Staff shall ensure that CURE is provided with a copy of the Application for Certification in this proceeding. CURE may exercise the rights and shall fulfill the obligations of a party as set forth in the Commission's regulations. (Cal. Code of Regs., tit. 20, § 1001 et seq.)

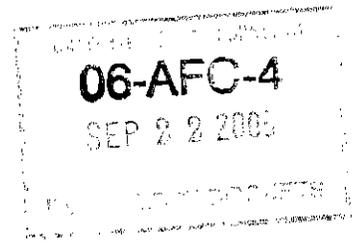
Dated October 4, 2006, at Sacramento, California.



JACKALYNE PFANNENSTIEL
Chair and Presiding Member
Vernon AFC Committee

Proof of Service List (Revised on 10/4/06)
filed with Original Document. Mailed from
Sacramento on 10/5/06).

STATE OF CALIFORNIA
**Energy Resources Conservation
and Development Commission**



In the Matter of:

The Application for Certification
for the VERNON POWER PLANT

Docket No. 06-AFC-4

**PETITION TO INTERVENE BY
CALIFORNIA UNIONS FOR RELIABLE ENERGY**

September 21, 2006

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Attorneys for the CALIFORNIA UNIONS
FOR RELIABLE ENERGY

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:

The Application for Certification
for the VERNON POWER PLANT

Docket No. 06-AFC-4

**PETITION TO INTERVENE BY
CALIFORNIA UNIONS FOR RELIABLE ENERGY**

Pursuant to sections 1207 and 1712 of Title 20 of the California Code of Regulations, California Unions for Reliable Energy ("CURE") petitions to intervene in this proceeding.

Section 1207(a) grants "any person" the right to file a petition to intervene which sets forth "the grounds for the intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceedings, and the name, address, and telephone number of the petitioner." Section 1207(c) provides that the "presiding member may grant leave to intervene to any petitioner to the extent he deems reasonable and relevant...."

CURE is a coalition of unions whose members construct and operate power plants in California. Thus, the project directly affects the union members' immediate economic interests.

The project also affects the union members' long-term economic and environmental interests. Environmental degradation jeopardizes future jobs by causing construction moratoriums, depleting limited air pollutant emissions offsets, using limited fresh water, and putting other stresses on the environmental carrying capacity of the state. This reduces future employment opportunities.

Additionally, union members live in and next to the communities that suffer the impacts of environmentally detrimental projects. Unions have an interest in helping to minimize the impacts of projects that would degrade the environment, and in enforcing environmental laws to protect their members.

Finally, union members are concerned about projects that cause serious environmental harm without providing countervailing economic benefits. The Commission's application process provides for a balancing of the project's socioeconomic and environmental impacts. CURE's ultimate position in this proceeding will be determined based on all of the factors that will be considered by the Commission.

CURE has been granted intervention in most other siting cases brought before the Commission since the enactment of AB 1890. The

Commission rejected the only challenge to CURE's participation in those cases, finding CURE's interests "undeniably relevant" to the proceedings. (In the Matter of Application for Certification for the High Desert Power Project, Docket No. 97-AFC-1, Order Granting Petition to Intervene at 2 (Dec. 24, 1997).) The same decision should be reached here.

CURE wishes to participate fully in all phases of this proceeding. Filings should be served on CURE at the address listed below.

For the foregoing reasons, CURE respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow CURE to participate as a party.

Dated: September 21, 2006 Respectfully submitted,



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Attorneys for the CALIFORNIA UNIONS
FOR RELIABLE ENERGY

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:

The Application for Certification
for the VERNON POWER PLANT

Docket No. 06-AFC-4

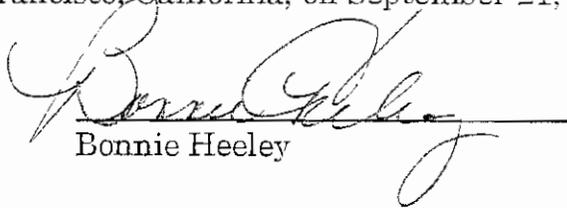
PROOF OF SERVICE

I, Bonnie Heeley, declare that on September 21, 2006, I deposited copies of the attached PETITION TO INTERVENE BY CALIFORNIA UNIONS FOR RELIABLE ENERGY in the United States mail at South San Francisco, California, with first class postage thereon fully prepaid and addressed to the following:

CALIFORNIA ENERGY
COMMISSION
DOCKET UNIT
ATTN: Docket Unit 06-AFC-4
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

Via email to:
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct. Executed at South San Francisco, California, on September 21, 2006.


Bonnie Heeley

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

APPLICATION FOR CERTIFICATION
FOR THE VERNON POWER PLANT PROJECT
BY THE CITY OF VERNON

DOCKET NO. 06-AFC-4
PROOF OF SERVICE LIST
(REVISED 10/4/06)

INSTRUCTIONS: All parties shall (1) file a printed, original signed document plus 12 copies OR file one original signed document and e-mail the document to the Docket address below, AND (2) all parties shall also send a printed OR electronic copy of the document, plus a proof of service declaration, to each of the entities and individuals on the proof of service list:

CALIFORNIA ENERGY COMMISSION
Attn: DOCKET NO. 06-AFC-4
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
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APPLICANT

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INTERESTED COMMUNITY GROUPS

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INTERVENORS

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Hearing Officer
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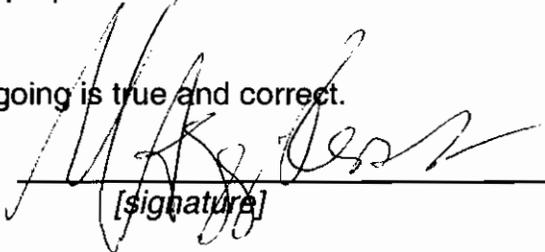
Kenneth Celli
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Margret J. Kim
Public Adviser
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Maggie Read, declare that on October 5, 2006, I deposited the required copies of the attached Order Granting Petition to Intervene, 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.

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



[signature]