

1 COMMUNITIES FOR A BETTER ENVIRONMENT  
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<b>DOCKET</b>	
<b>06-AFC-4</b>	
DATE	OCT 10 2006
RECD.	OCT 10 2006

8 Attorneys for Intervenor  
9 COMMUNITIES FOR A BETTER ENVIRONMENT

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11 **STATE OF CALIFORNIA**  
12 **State Energy Resources**  
13 **Conservation and Development Commission**  
14

15 In the Matter of: ) DOCKET NO: 06-AFC-4  
16 )  
17 ) Vernon Power Plant Project ) **PETITION TO INTERVENE BY**  
18 ) **COMMUNITIES FOR A BETTER**  
19 ) **ENVIRONMENT**  
20 )  
21 )  
22 )

23 Petitioner, Communities for a Better Environment (“CBE”), states:

- 24 1. CBE petitions to intervene in the above-entitled proceeding.  
25 2. Petitioner’s contact information is:

26 Bahram Fazeli (bfazeli@yahoo.com)  
27 Communities for a Better Environment  
28 5610 Pacific Boulevard, Suite 203  
Huntington Park, CA 90255  
Tel: 323.826.9771 x 105  
Fax: 323.588.7079

3. CBE has an interest in the proceeding because CBE is a non-profit environmental health and justice advocacy organization with offices in Oakland and Huntington Park, California. Indeed, CBE’s Huntington Park office is only a few blocks from the proposed site of this power plant. CBE and its members will be negatively impacted by construction and operation of the proposed Vernon Power Plant (“VPP”).

1           4. CBE is an environmental justice public interest organization and a California not-for-  
2 profit corporation with approximately 20,000 members. CBE's mission is to achieve  
3 environmental health and justice for communities of color and working-class communities. CBE  
4 strives to accomplish its mission by organizing in traditionally disempowered communities, by  
5 facilitating public participation in administrative decision-making processes, and by ensuring  
6 implementation of laws that protect public health when public agencies consider siting polluting  
7 projects in and around low-income communities of color.

8           5. Many of CBE's members reside in the Los Angeles metropolitan area, including in  
9 the areas of Los Angeles County that will be affected by the VPP. The VPP will specifically  
10 impact CBE's members living in Southeast Los Angeles communities around Vernon. For years,  
11 CBE has been working with community residents in the Huntington Park-Vernon area who will  
12 be impacted by this proposed power plan.

13           6. Certain impacts to these communities are clear from the face of the application for  
14 certification. For instance, the VPP's application for certification indicates that it will  
15 dramatically increase air emissions in the Vernon area. In addition to air emissions, the VPP will  
16 have construction and operational impacts such as noise, traffic, water flow and water quality  
17 and extensive excavation and transportation of dirt and fill materials. CBE is very concerned  
18 that the cumulative pollution impacts of this project will cause or add to existing environmental  
19 injustice in the area.

20           7. Other issues are likely to become clear through the CEC's assessment process, which  
21 makes CBE's participation as a full party-intervenor critical to ensuring that the public health and  
22 environmental justice issues are fully explored. The interests CBE seeks to further in this action,  
23 namely, environmental justice and the protection of the environment, are the organization's  
24 central purposes and goals. CBE intervenes on behalf of its members. For these reasons, CBE  
25 respectfully requests the right to participate in the above-captioned matter as a party-intervenor.

26           8. CBE reserves the right to present evidence and to cross-examine witnesses.

27           9. CBE is represented by counsel. Please contact CBE through its counsel:  
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Shana Lazerow (slazerow@cbeocal.org)  
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Fax: (510) 302-0438



DATED: October 10, 2006

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Shana Lazerow, CBE Staff Attorney  
Philip Huang, CBE Staff Attorney  
Attorneys for Intervenor  
**COMMUNITIES FOR BETTER ENVIRONMENT**

**Proof of Service**

I am employed in the County of Alameda, State of California. I am over the age of 18 and not a party to this action. My business address is 1440 Broadway, Suite 701, Oakland, California 94612. On October 10, 2006 I served the document described as:

**Petition to Intervene by Communities for a Better Environment**

on the following interested parties in this action via U.S. Mail:

Donal O’Callaghan, Director of Light & Power	John Carrier
Krisna Nand, Environmental Project Manager	Environmental Consultant
Eric Freisch, City Attorney	CH2M Hill
City of Vernon	2485 Natomas Park Dr. #600
4305 Santa Fe Avenue	Sacramento, CA 95833-2937
Vernon, CA 90058	<a href="mailto:John.carrier@ch2m.com">John.carrier@ch2m.com</a>
<a href="mailto:docallaghan@ci.vernon.ca.us">docallaghan@ci.vernon.ca.us</a>	
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California Unions for Reliable Energy	Electricity Oversight Board
Marc D. Joseph, Esq.	770 L Street, Suite 1250
Gloria D. Smith, Esq.	Sacramento, CA 95814
	<a href="mailto:esaltmarsh@eob.ca.gov">esaltmarsh@eob.ca.gov</a>

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	<a href="mailto:cbhatt@aqmd.gov">cbhatt@aqmd.gov</a>

And by placing the original, and 12 true and correct copies thereof, in a sealed envelope and by causing to the envelope to be sent, with delivery and postage fully prepaid via Federal Express, for overnight delivery, addressed to:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket Unit, Docket No. 06-AFC-4  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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And by sending an electronic copy in portable digital format to:

Jackalyne Pfannenstiel California Energy Commission Presiding Committee Member <a href="mailto:jpfannen@energy.state.ca.us">jpfannen@energy.state.ca.us</a> <a href="mailto:cgraber@energy.state.ca.us">cgraber@energy.state.ca.us</a>	James D. Boyd, Commissioner California Energy Commission Associate Committee Member <a href="mailto:jboyd@energy.state.ca.us">jboyd@energy.state.ca.us</a>
Susan Gefter California Energy Commission Hearing Officer <a href="mailto:sgefter@energy.state.ca.us">sgefter@energy.state.ca.us</a>	James W. Reede, Jr., Ed.D California Energy Commission Siting Project Manager <a href="mailto:jreede@energy.state.ca.us">jreede@energy.state.ca.us</a>
Kenneth Celli California Energy Commission Staff Attorney <a href="mailto:kcelli@energy.state.ca.us">kcelli@energy.state.ca.us</a>	Margret J. Kim California Energy Commission Public Adviser <a href="mailto:pao@energy.state.ca.us">pao@energy.state.ca.us</a>

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on October 10, 2006, at Oakland, California.

\_\_\_\_\_  
Angelina Martinez