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October 2, 2008

The Honorable Jackalync Pfannenstiel, Presiding Member
The Honorable James Boyd, Associate Member
California Energy Commission
1516 Ninth Street, # MS-32
Sacramento, CA 95814

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|---------------------------|
| DOCKET 07-AFC-4 |
| DATE OCT 0 2 2008 |
| RECD. OCT 0 6 2008 |

Dear Jackalync:

I am writing to you today to encourage you to deny the application for certification of the MMC Energy Inc.'s Chula Vista Energy Upgrade Project (CVEUP). The CVEUP proposal would place an unnecessary burden on the people of the South Bay.

The plant, which is located in an underserved community, is within 350 feet of a residential area, less than 1,500 feet from the Chula Vista Elementary School District pre-kindergarten, the Otay Elementary School, and the Albany Avenue Head Start building. If approved, it would significantly increase the hours of operation and produce more than double the megawatt output. Such an increase only adds to a community that is already suffering from high rates of asthma and Chronic Obstructive Pulmonary Diseases (COPD). The communities' welfare and safety must always be at the forefront, and it is clear that the CVEUP does not benefit the community.

The CVEUP proposal would also violate the City of Chula Vista's zoning and General Plan policies. Originally when the plant tried to expand in 2001, the City Council acknowledged that it was too close to homes and businesses, and not in the best interest of the community. Furthermore, the community, the Southwest Chula Vista Civic Association, the South Bay Forum, the Environmental Health Coalition (EHC) and other local community groups who will be directly impacted by this proposal, feel that their City Council this time did not take into account their concerns before a final decision was taken.

The Honorable Jackalync Pfannenstiel

October 2, 2008

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As you review the CVEUP proposal, please consider the burden that is placed on the community who resides and works in that area.

Sincerely,

A handwritten signature in blue ink that reads "Bob". The signature is stylized and appears to be written in a cursive or semi-cursive style.

BOB FILNER
Member of Congress

BF/jg
2483741