

July 17, 2009

Vice Chairman James D. Boyd, Presiding Member  
Commissioner Karen Douglas, Associate Member  
Paul Kramer, Hearing Officer  
Siting Project Committee  
California Energy Commission  
1516 Ninth St.  
Sacramento, Ca. 95814

<b>DOCKET</b>	
<b>07-AFC-6</b>	
DATE	JUL 17 2009
RECD	JUL 20 2009

Re: Carlsbad Energy Center Project (CECP) (07-AFC-6)  
Terramar Status Report

Dear Commissioners,

1) UPDATE ON LETTER SENT TO NRG CORPORATE HEADQUARTERS-

In our last status report we included a copy of a letter sent to the corporate headquarters of NRG. This letter identified a number of concerns regarding misleading statements made to the public by NRG in their newsletters about the CECP. So far NRG corporate headquarters has chosen not to reply.

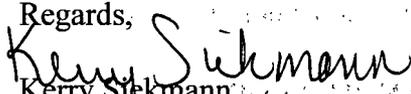
2) RESIDENTS FROM TERRAMAR SEND LETTER TO EPA REQUESTING THEY REQUIRE A PREVENTION OF SIGNIFICANT DETERIORATION (PSD)-

Attached please find a copy of a letter sent to Ms. Shaheerah Kelly in the Air Division of Region 9 at the EPA. It includes many signatures from residents in Terramar asking they require a PSD. The letter also requests using a more appropriate baseline of years 2004-2008 for determining the PSD. Many residents in our neighborhood are very concerned about the increased air pollution we would have to endure from the proposed CECP.

3) TERRAMAR SUPPORTS THE POV'S JUNE 9 DATA REQUEST.

The reporting differences, brought to light from various fuel consumption reports submitted by NRG West, are very concerning. We support the Power of Vision's June 9 data request to review Encina data or we suggest that staff look into this disturbing problem.

Regards,

  
Kerry Siekmann  
Terramar

cc: Proof of Service List  
EPA Letter

Dear Ms Kelly,

We reside in Carlsbad, Ca. just south of the Encina Power Plant. This plant is owned by NRG West and now they are proposing to build a second plant on the same property. We and many of the folks who live in Terramar (the neighborhood directly south of the Encina plant) oppose licensing of the project and I represent the neighborhood as an intervener with the CEC (California Energy Commission).

There are many reasons we oppose this new project but the most significant one is the additional air pollution that this plant will emit into the air we breathe. It is our understanding that for purposes of CEC licensing NRG West has been able to use the years 2002-2006 as their baseline years to calculate NOX emissions since they filed their application in the year 2007. Even before 2007, the use of the old Encina units to be replaced has been declining. In fact, it is our understanding that the old units are used so infrequently that the increased NOX from the new units as compared to the old ones will be significant.

We have been informed that this increase in NOX could cause the EPA to require a Prevention of Significant Deterioration of air quality, especially if the past five years 2004-2008 are used. We would like to request that you look into this situation for our neighborhood and the other residents in Carlsbad and surrounding cities that may be affected by the increased pollution.

Name

Address

Cheryl Spiro

6473 Camino del Parque  
Carlsbad, CA 92008

LISA Jessop

5230 El Arbol Dr  
Carlsbad CA 92008

Catherin Miller

5299 El Arbol  
Carlsbad 92008

Jama Kearney

5167 El Arbol Dr  
Carlsbad CA 92008

Michael Kearney

"

Mary W. James

5249 Los Robles Dr.  
Carlsbad, CA 92008

Richard A James

"

Kenny Schmecker

5239 El Arbol Carlsbad, CA  
92008

Name

Address

Petra Chiel

5259 EL ARBOL DR.

Barbara Koster

5259 EL Arbol Dr

Mary Mende

5279 EL Arbol Dr. 92008

Karen Mendez

5279 El Arbol Dr. Carlsbad 92008

Dee Anderson

5345 El Arbol Dr Carlsbad 92008

Gary L. Anderson

5345 El Arbol Dr. Carlsbad 92008

Chelsey Brundson

5345 El Arbol Dr. Carlsbad 92008

Don Walsh

5385 El Arbol Carlsbad, CA 92008

Steph

5120 EL Arbol CARLSBAD, CA 92008

Morgan Stueg

5430 EL ARBOL DRIVE CARLSBAD CA 92008

Patricia Stueg

5430 El Arbol Dr. Carlsbad CA 92008

Dr. Stueg

5301 El Arbol Dr. Carlsbad, CA 92008

Jeff

5301 El Arbol Dr Carlsbad 92008

Ken

5380 El Arbol Carlsbad Ca 92008

KENNY KISH

5180 EL ARBOL CARLSBAD CA 92008

JEFF MASTIN

5180 EL ARBOL DR. CARLSBAD CA 92008

Lori Ackroyd

4660 N. River Rd #102 Oceanside CA

Sharon A. Ackroyd

5183 El Arbol Dr. Carlsbad 92008

Ken

5201 El Arbol Dr. Carlsbad, CA 92008

Janine A Miller

5319 El Arbol Dr Carlsbad 92008

CARLA GARZI

5365 El Arbol Dr. Carlsbad 92008



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE **CARLSBAD ENERGY  
CENTER PROJECT**

**Docket No. 07-AFC-6  
PROOF OF SERVICE**  
(Revised 5/11/2009)

**APPLICANT**

David Lloyd  
\*George Piantka, PE.  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[david.Lloyd@nrqenergy.com](mailto:david.Lloyd@nrqenergy.com)  
[george.piantka@nrqenergy.com](mailto:george.piantka@nrqenergy.com)

**APPLICANT'S CONSULTANTS**

Robert Mason, Project Manager  
CH2M Hill, Inc.  
6 Hutton Centre Drive, Ste. 700  
Santa Ana, CA 92707  
[Robert.Mason@ch2m.com](mailto:Robert.Mason@ch2m.com)

Megan Sebra  
CH2M Hill, Inc.  
2485 Natomas Park Drive, Ste. 600  
Sacramento, CA 95833  
[Megan.Sebra@ch2m.com](mailto:Megan.Sebra@ch2m.com)

**COUNSEL FOR APPLICANT**

John A. McKinsey  
Stoel Rives LLP  
980 Ninth Street, Ste. 1900  
Sacramento, CA 95814  
[jamckinsey@stoel.com](mailto:jamckinsey@stoel.com)

**INTERESTED AGENCIES**

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

Terramar Association  
Kerry Siekmann & Catherine Miller  
5239 El Arbol  
Carlsbad, CA 92008  
[siekmann1@att.net](mailto:siekmann1@att.net)

City of Carlsbad  
Allan J. Thompson  
Attorney for the City  
21 "C" Orinda Way #314  
Orinda, CA 94563  
[allanori@comcast.net](mailto:allanori@comcast.net)

\*City of Carlsbad  
Joseph Garuba,  
Municipals Project Manager  
Ron Ball, Esq., City Attorney  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008  
*E-mail preferred*  
[Joe.Garuba@carlsbadca.gov](mailto:Joe.Garuba@carlsbadca.gov)  
[Ron.Ball@carlsbadca.gov](mailto:Ron.Ball@carlsbadca.gov)

California Unions for Reliable Energy  
("CURE")  
Gloria D. Smith & Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[gsmith@adamsbroadwell.com](mailto:gsmith@adamsbroadwell.com)

Center for Biological Diversity  
c/o William B. Rostov  
EARTHJUSTICE  
426 17<sup>th</sup> St., 5<sup>th</sup> Floor  
Oakland, CA 94612  
[wrostov@earthjustice.org](mailto:wrostov@earthjustice.org)

Power of Vision  
Julie Baker and Arnold Roe, Ph.D.  
P.O. Box 131302  
Carlsbad, California 92013  
[powerofvision@roadrunner.com](mailto:powerofvision@roadrunner.com)

Rob Simpson  
Environmental Consultant  
27126 Grandview Avenue  
Hayward CA 94542  
[rob@redwoodrob.com](mailto:rob@redwoodrob.com)

**ENERGY COMMISSION**

JAMES D. BOYD  
Vice Chair and Presiding Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

KAREN DOUGLAS  
Chair and Associate Member  
[kidougl@energy.state.ca.us](mailto:kidougl@energy.state.ca.us)

Paul Kramer  
Hearing Officer  
[pkramer@energy.state.ca.us](mailto:pkramer@energy.state.ca.us)

Mike Monasmith  
Siting Project Manager  
[mmonasmi@energy.state.ca.us](mailto:mmonasmi@energy.state.ca.us)

Dick Ratliff  
Staff Counsel  
[dratliff@energy.state.ca.us](mailto:dratliff@energy.state.ca.us)

Elena Miller  
Public Adviser's Office  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, Kenny Sitmann, declare that on 7/17/09, I served and filed copies of the attached, Status Report & attachments. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/carlsbad/index.html>]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

**For filing with the Energy Commission:**

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

**OR**

depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**  
Attn: Docket No. 07-AFC-6  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
docket@energy.state.ca.us

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

Kenny Sitmann