



<b>DOCKET</b>	
<b>07-AFC-6</b>	
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980 Ninth Street, Suite 1900  
Sacramento, California 95814  
main 916.447.0700  
fax 916.447.4781  
www.stoel.com

June 5, 2009

JOHN A. MCKINSEY  
Direct (916) 319-4746  
jamckinsey@stoel.com

**VIA HAND DELIVERY**

The Honorable James D. Boyd  
The Honorable Karen Douglas  
Siting Project Committee  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

**Re: Carlsbad Energy Center Project (07-AFC-6)  
Applicant's Status Report (June 2009)**

Dear Commissioners:

The Committee's May 11, 2009 Revised Scheduling Order requires all parties to continue to submit Status Reports "every six weeks...until [the Final Staff Assessment has been] filed." To that end, Carlsbad Energy Center LLC ("Applicant") submits this Status Report for the Carlsbad Energy Center Project (the "Project").

**STATUS SUMMARY**

Applicant believes Energy Commission Staff is on schedule to issue its Final Staff Assessment ("FSA") soon. Staff has proposed a workshop following the publication of the FSA. With these important steps in the review process soon to be accomplished, Applicant looks forward to the scheduling of evidentiary hearings and moving toward a final decision by the CEC on the Project.

**CURRENT ISSUES AND ACTIVITIES**

***Final Determination of Compliance***

Applicant has worked diligently to provide the San Diego Air Pollution Control District ("SDAPCD") with information needed for SDAPCD to complete and publish its Final Determination of Compliance ("FDOC") for the Project. Applicant provided a Revised Health Risk Assessment and VOC Emission Reduction Credit information to SDAPCD on April 29 and May 4, 2009, respectively. In addition, Applicant responded to SDAPCD's request for



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clarification of annual emission inventory data, including fuel use data. SDAPCD is also incorporating into the FDOC responses to public comments to the Preliminary Determination of Compliance, which was issued in December 2008. SDAPCD has informed Applicant the FDOC will be completed and published in June 2009.

***City of Carlsbad's Data Requests***

On or about March 23, 2009, the City of Carlsbad ("City") submitted additional data requests (#142-151) to Applicant. Applicant objected to the data requests and the City subsequently petitioned the Committee to compel Applicant to respond to data request #148, of the ten requests originally submitted. On May 11, the Committee denied the City's petition.

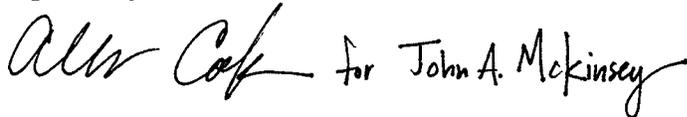
***Power of Vision's Data Request***

On June 1, 2009, Applicant was served with what appears to be a data request from Power of Vision, requesting that "the original documents wherein the applicant records hourly data on Encina Power Station units 1 – 5...be made available for inspection and possible copying..." Applicant will respond or object to this data request within the time frame allowed by Title 20 California Code of Regulations, section 1716.

**CONCLUSION**

As always, Applicant is committed to providing, to the extent feasible, information that may assist CEC Staff with moving toward the publication of the FSA and looks forward to the forthcoming evidentiary hearing schedule.

Respectfully submitted,

 for John A. McKinsey

John A. McKinsey

JAM:kjh

cc: See Proof of Service List

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 5/19/2009)

Carlsbad Energy Center Project  
Applicant's Status Report (June 2009)

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

**APPLICANT**

David Lloyd  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[David.Lloyd@nrqenergy.com](mailto:David.Lloyd@nrqenergy.com)

George L. Piantka, PE  
Carlsbad Energy Center LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[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  
P.O. Box 639014  
Folsom, CA 95763-9014  
(e-mail preferred) [e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

City of Carlsbad  
Allan J. Thompson  
Attorney for 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)  
[jgaru@ci.carlsbad.ca.us](mailto:jgaru@ci.carlsbad.ca.us); [rball@ci.carlsbad.ca.us](mailto:rball@ci.carlsbad.ca.us)

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

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)

**INTERVENORS**

Center for Biological Diversity  
c/o William B. Rostov  
EARTHJUSTICE  
426 17th St., 5th 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, CA 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  
Commissioner and Associate Member  
[kldougla@energy.state.ca.us](mailto:kldougla@energy.state.ca.us)

Paul Kramer  
Hearing Office  
[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, Elizabeth Hecox, declare that on June 5, 2009, I deposited copies of the aforementioned document in the United State mail at 980 Ninth Street, Suite 1900, Sacramento, California 95814, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

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

  
Elizabeth Hecox