

Power of Vision

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October 9, 2009

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

DOCKET	
07-AFC-6	
DATE	<u>OCT 09 2009</u>
RECD	<u>OCT 12 2009</u>

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

Dear Commissioners:

Pursuant to the Committee Scheduling Order dated December 26, 2008 Power of Vision submits our six-week status report.

Power of Vision continues to gather community opposition to siting the Carlsbad Energy Center Project on the coast. To date, nearly 2500 individuals have joined us in opposing the project. In conjunction with the Terramar Intervenors, POV held a press conference highlighting opposition from the Sierra Club and two Democratic candidates for the 50th Congressional District. Two City Council members also participated. Local newspapers, on-line news sites and television stations picked up coverage of the news conference.

In anticipation of the release of the Final Staff Assessment, Power of Vision would request the CEC consider scheduling the Evidentiary Hearings at a time that will not conflict with the upcoming holidays. There is growing public interest in the case and we anticipate large public turnout for the hearings.

Power of Vision attended the October 8, 2009 appeal of the Final Determination of Compliance (FDOC) issued by the San Diego County Air Pollution Control District. Intervenor Rob Simpson filed the appeal. After several hours of discussion, the APCD Hearing Appeals Board determined they had no jurisdiction in the matter since the FDOC is not considered a *final* document until the CEC grants the applicant a license. When the CEC acts on the CECP application, then it is appropriate to appeal the FDOC to the Appeals Board...or so we understand.

We are also looking forward to a favorable response from the Commission to Power of Vision Further Petition to Compel Data Responses dated September 25, 2009.

Respectfully,

Julie Baker
Arnold Roe, PhD

cc: Proof of Service List (Revised 9/15/2009)



**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**

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

**Docket No. 07-AFC-6
PROOF OF SERVICE
(Revised 9/15/2009)**

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INTERVENORS

DECLARATION OF SERVICE

I, Julie Baker, declare that on **October 9, 2009**, I served and filed copies of the attached, **Power of Vision Status Report, # 9**. 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: [\[http://www.energy.ca.gov/sitingcases/carlsbad/index.html\]](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:

 X 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:

 X 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.

Julie Baker