



# City of Carlsbad

Office of the City Manager

October 9, 2009

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

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

**Re: Carlsbad Energy Center Project (07-AFC-6)  
City's Status Report #9**

Dear Commissioners:

Pursuant to the Committee Scheduling Order dated December 26, 2008, the City of Carlsbad submits its City Status Report #9 for the Committee's consideration.

California Energy Commission Final Staff Assessment

As highlighted in Status Report #8, the City of Carlsbad anticipates the release of the Carlsbad Energy Center Project (CECP) Final Staff Assessment (FSA) within the next several weeks. The City looks forward to participating in the FSA workshop and the Evidentiary Hearings as this project matriculates through the CEC process. Based on the tremendous public interest in this project, the City requests that the Energy Commission consider schedule limitations due to the upcoming holidays during the months of November/December.

San Diego Air Pollution Control District Appeal

On October 8, 2009, the San Diego Air Pollution Control District (APCD) held a hearing to consider the appeal of the CECP's Final Determination of Compliance (FDOC) by Intervenor Rob Simpson. After several hours of discussion, which was focused on the timeliness of the appeal, the APCD denied Intervenor Simpson's request. Based on the findings of the APCD, they determined that the FDOC is not in fact a final document and may be amended by the APCD during the remaining CEC process as more information comes to light. Additionally, the APCD determined that the appropriate time for appeal to the APCD to consider the validity of the FDOC would be at the point that the CEC grants a license to the CECP. The City appreciates the willingness of the APCD to consider this matter and its clarification on the public process.



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Public Involvement

There continues to be significant public interest in the proposed CECP. In September, the Power of Vision in conjunction with the Terramar HOA held a press conference highlighting that there are now nearly 2,500 people who have registered their opposition to the proposed power plant. In addition, the three local Democratic candidates running for the U.S. House of Representatives 50<sup>th</sup> Congressional District have registered their opposition to the CECP as has the local Sierra Club with over 15,000 members in San Diego County. The City anticipates that there will be extraordinary public attendance and comment during the upcoming workshops and Evidentiary Hearings as this project moves through the review process.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joe Garuba', with a long horizontal flourish extending to the right.

Joe Garuba  
Municipal Projects Manager

JG:ad

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](http://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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DECLARATION OF SERVICE

I, Andrea Dykes, declare that on October 9, 2009, I served and filed copies of the attached document. 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:

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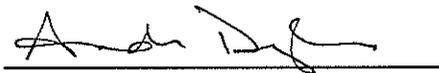
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**CALIFORNIA ENERGY COMMISSION**

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

  
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