

Power of Vision

September 23, 2009

Dear Supervisor Bill Horn
1600 Pacific Highway
San Diego, CA 92101

Dear Supervisor Horn:

Power of Vision represents over 2000 citizens of the North Coastal Region of San Diego County who are concerned about the pollution and visual impacts the Carlsbad Energy Center LLC (owned by NRG West) proposed new 558 MW power plant will have on our coastal area, and have expressed this concern in writing and at meetings with members of the SDCAPCD. The SDCAPCD recently issued an FDOC for this power plant that completely ignored some of the constructive suggestion we have made, and has completely ignored our requests that a public hearing on the FDOC be held in the Carlsbad area where the power plant is to be cited.

On September 15, 2009 we appeared at the San Diego County Board of Supervisors meeting to:

1. Point out that the EPA, in their Final Report dated September 30, 2008 on the SDCAPCD Title V Operating Permit Program Evaluation, Section 4, strongly admonished the County that they were not adequately involving the community in their decisions by inadequately advertising APCD hearings and decisions, and by failing to hold hearings in the communities involved;
2. Request that a hearing be held in the Carlsbad area on the FDOC in question.

We were informed at the September 15th meeting by Thomas Pastuszka, Clerk of the Hearing Board, that, unbeknown to us (again, failure to communicate) a hearing on the FDOC had been scheduled in response to a petition by Rob Simpson, an Intervenor in the California Energy Commission's proceedings regarding the power plant in question, and that such hearing was to be held on October 8, 2009 at the County Administration Center.

Since that time, Rob Simpson and we have contacted the Hearing Board to request that the venue of the hearing be changed to Carlsbad, and that the hearing time and place be well advertised. Unfortunately, we have had no response to our request and therefore

URGE YOU TO PREVAIL UPON YOUR HEARING BOARD TO FOLLOW THE EPA RECOMMENDATIONS AND RESCHEDULE THE VENUE OF THE HEARING.

Sincerely yours,

Julie Baker
Arnold Roe, PhD

Cc: Supervisor Diane Jacobs
Supervisor Ron Roberts
Supervisor Pam Slater-Price
Supervisor Greg Cox
Heidi Gabriel-Pack

*indicates change

PO Box 131302
Carlsbad, CA 92013
760.729.4068
powerofvision@roadrunner.com

DOCKET

07-AFC-6

DATE SEP 23 2009

RECD SEP 24 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)**

APPLICANT

David Lloyd
George Piantka, PE.
Carlsbad Energy Center, LLC
1817 Aston Avenue, Suite 104
Carlsbad, CA 92008
david.lloyd@nrgenergy.com
george.piantka@nrgenergy.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

Megan Sebra
CH2M Hill, Inc.
2485 Natomas Park Drive, Ste. 600
Sacramento, CA 95833
Megan.Sebra@ch2m.com

COUNSEL FOR APPLICANT

John A. McKinsey
Stoel Rives LLP
980 Ninth Street, Ste. 1900
Sacramento, CA 95814
jamckinsey@stoel.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

INTERVENORS

Terramar Association

Kerry Siekmann & Catherine Miller
5239 El Arbol
Carlsbad, CA 92008
siekmann1@att.net

City of Carlsbad
*South Carlsbad Coastal
Redevelopment Agency
Allan J. Thompson
21 "C" Orinda Way #314
Orinda, CA 94563
allanori@comcast.net

City of Carlsbad
*South Carlsbad Coastal
Redevelopment Agency
Joseph Garuba,
Municipals Project Manager
Ronald R. Ball, Esq., City Attorney
1200 Carlsbad Village Drive
Carlsbad, CA 92008
E-mail preferred
Joe.Garuba@carlsbadca.gov
rball@ci.carlsbad.ca.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

Center for Biological Diversity
c/o William B. Rostov
EARTHJUSTICE
426 17th St., 5th Floor
Oakland, CA 94612
wrostov@earthjustice.org
Power of Vision
Julie Baker & Arnold Roe, Ph.D.
P.O. Box 131302
Carlsbad, California 92013
powerofvision@roadrunner.com

Rob Simpson
Environmental Consultant
27126 Grandview Avenue
Hayward, CA 94542
rob@redwoodrob.com

ENERGY COMMISSION

JAMES D. BOYD
Vice Chair and Presiding Member
jboyd@energy.state.ca.us

KAREN DOUGLAS
Chair and Associate Member
kldougla@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Mike Monasmith
Siting Project Manager
mmonasmi@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

***Public Adviser's Office**
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Julie Baker, declare that on **September 24, 2009**, I served and filed copies of the attached, **Letter to San Diego County Supervisors concerning Air Pollution Control District FDOC appeal**, dated **September 24, 2009**. 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:

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.

Julie Baker