

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

bheeley@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4715

TEL: (916) 444-6201
FAX: (916) 444-6209

DANIEL L. CARDOZO
THOMAS A. ENSLOW
TANYA A. GULESSERIAN
MARC D. JOSEPH
ELIZABETH KLEBANER
RACHAEL E. KOSS
LOULENA A. MILES
ROBYN C. PURCHIA

OF COUNSEL
THOMAS R. ADAMS
ANN BROADWELL
GLORIA D. SMITH

DOCKET

07-AFC-6

DATE JAN 06 2010

RECD. JAN 06 2010

January 6, 2010

California Energy Commission
Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

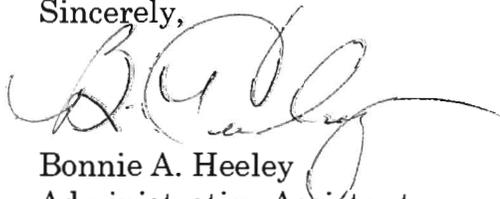
Re: Carlsbad Energy Center Project, 07-AFC-6

Dear Docket Clerk:

Enclosed are an original and copy of CALIFORNIA UNIONS FOR RELIABLE ENERGY'S PRELIMINARY IDENTIFICATION OF CONTESTED ISSUES. Please process the document and return a conformed copy in the enclosed self-addressed, stamped envelope.

Thank you.

Sincerely,



Bonnie A. Heeley
Administrative Assistant

:bh
Enclosures

2130-021a

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:

The Application for Certification
for the CARLSBAD ENERGY CENTER
PROJECT

Docket No. 07-AFC-6

**CALIFORNIA UNIONS FOR RELIABLE ENERGY'S
PRELIMINARY IDENTIFICATION OF CONTESTED ISSUES**

January 6, 2010

Marc D. Joseph
Gloria D. Smith
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
(650) 589-1660 Voice
(650) 589-5062 Facsimile
mdjoseph@adamsbroadwell.com
gsmith@adamsbroadwell.com

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

The Application for Certification
for the CARLSBAD ENERGY CENTER
PROJECT

Docket No. 07-AFC-6

**CALIFORNIA UNIONS FOR RELIABLE ENERGY'S
PRELIMINARY IDENTIFICATION OF CONTESTED ISSUES**

In response to the December 21, 2009, Revised Notice of Prehearing Conference and Evidentiary Hearing, this statement responds to the request to preliminarily identify contested issues.

CURE does not plan to submit witness testimony and does not have contested *factual* issues. CURE reserves its right to raise *legal* issues related to the FSA's conclusion that the Project is consistent with the California Coastal Act.

Dated: January 6, 2010

Respectfully submitted,

_____/s/_____
Marc D. Joseph
Gloria D. Smith
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
(650) 589-1660 Voice
(650) 589-5062 Facsimile
mdjoseph@adamsbroadwell.com
gsmith@adamsbroadwell.com

Attorneys for the CALIFORNIA UNIONS FOR
RELIABLE ENERGY

PROOF OF SERVICE

I, Bonnie Heeley, declare that on January 6, 2010, I served and filed copies of the attached, CALIFORNIA UNIONS FOR RELIABLE ENERGY'S PRELIMINARY IDENTIFICATION OF CONTESTED ISSUES, dated January 6, 2010. 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 via electronic email and via U.S. Mail 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." It was also sent via email and U.S. Mail for filing with the Energy Commission.

I declare under penalty of perjury that the forgoing is true and correct.
Executed at South San Francisco, California, on January 6, 2010.

_____/s/_____
Bonnie Heeley

CALIFORNIA ENERGY COMMISSION Attn: Docket No. 07AFC6 1516 Ninth Street MS-4 Sacramento, CA 95814-5512 docket@energy.state.ca.us	David Lloyd George Piantka, P.E. Carlsbad Energy Center LLC 1817 Aston Avenue #104 Carlsbad, CA 92009 David.lloyd@nrgenergy.com George.piantka@nrgenergy.com	Robert Mason, Project Mgr. CH2M Hill, Inc. 6 Hutton Centre Dr., #700 Santa Ana, CA 92707 Robert.Mason@ch2m.com
Megan Sebra CH2M Hill, Inc. 2485 Natomas Park Drive Suite 600 Sacramento, CA 95833 Megan.Sebra@ch2m.com	John A. McKinsey Stoel Rives LLP 500 Capitol Mall, Suite 1600 Sacramento, CA 95814 jamckinsey@stoel.com	California ISO e-recipient@caiso.com VIA EMAIL ONLY
Terramar Association Kerry Siekmann Catherine Miller 5239 El Arbol Carlsbad, CA 92009 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 Ronald R. Ball 1200 Carlsbad Village Dr. Carlsbad, CA 92009 Joe.Garuba@carlsbadca.gov Ron.ball@carlsbadca.gov VIA EMAIL ONLY

<p>California Unions for Reliable Energy (CURE) Gloria D. Smith Marc D. Joseph Adams Broadwell Joseph & Cardozo 601 Gateway Blvd. #1000 South San Francisco, CA 94080 gsmith@adamsbroadwell.com mdjoseph@adamsbroadwell.com</p>	<p>Center for Biological Diversity c/o William B. Rostov EARTHJUSTICE 426 17th St., 5th Flr. Oakland, CA 94612 wrostov@earthjustice.org</p>	<p>Power of Vision Julie Baker Arnold Roe 4213 Sunnyhill Drive Carlsbad, CA 92013 powerofvision@roadrunner.com</p>
<p>Rob Simpson Environmental Consultant 27126 Grandview Avenue Hayward, CA 94542 rob@redwoodrob.com</p>	<p>James D. Boyd Vice Chair/Presiding Member California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512 jboyd@energy.state.ca.us</p>	<p>Karen Douglas Chair/Associate Member California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512 kldouga@energy.state.ca.us</p>
<p>Paul Kramer, Hearing Officer California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512 pkramer@energy.state.ca.us</p>	<p>Mike Monasmi Siting Project Manager California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512 mmonasmi@energy.state.ca.us</p>	<p>Dick Ratliff, Staff Counsel California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512 dratliff@energy.state.ca.us</p>
<p>Public Adviser's Office California Energy Commission 1516 Ninth Street Sacramento, CA 95814-5512 publicadviser@energy.state.ca.us</p>		