DECLARATION OF SERVICE

I, Robin Nusch declare that on Jan. 14, 2010, I served and filed copies of the attached, Pre. Conf. Statement - Motion dated Jan 14, 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, 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.

*indicates change

CALIFORNIA ENERGY COMMISSION

In the Matter of:) Application for Certification For the) Carlsbad Energy Center Project))	Docket No. 07-AFC-6	**DOCKET** **07-AFC-6** DATE JAN 14 2010 RECD. JAN 14 2010

City of Carlsbad
Prehearing Conference Statement

Although the City of Carlsbad is not opposed to power plant development within city limits, it is opposed to the Carlsbad Energy Center Project (CECP) because continued heavy industrial development impedes the City's vision for redevelopment of the Encina Power Station and its surroundings. As a result, the City has been active in the above-referenced proceeding for over two years. Although there are many areas of disagreement with both the California Energy Commission's (CEC) staff and Applicant's positions, the City has made a concerted effort to restrict its direct case to those areas where it has the greatest concern and the most experience. Our case focuses primarily on land-related Laws Ordinances Regulations and Standards (LORS) issues and the disconnects this project has in terms of its design (conflicts with emergency response needs), other projects (cumulative impact considerations), and timing (foreseeable closure of EPS Units 1-5 and achievement of the City's long-term vision).

While the City is opposed to continued power plant development at this site, it is even more opposed to a merchant project at the chosen location. The City has been informed that at least one power plant located in Carlsbad that bid into the San Diego Gas & Electric (SDG&E) 2009 Request for Offers (RFO) did not make the short list of projects. To determine if any of the projects proposed for Carlsbad have been successful at this stage of the RFO process, the City called CECP representatives to determine if the CECP was on the SDG&E short list, but the CECP representatives refused to confirm or deny their short list position. We believe that this information is critical to the Commission's consideration of this proceeding, particularly staff's claim that the CECP meets the regional need for new generation. We hereby request the Committee to ask SDG&E the status of the RFO, including if there are any Carlsbad bids on the short list. SDG&E could also give the Commission its insight on new and existing generation and transmission facilities in the Carlsbad area, including the status of the proposed CECP switchyard.

To further understand the timing of this project relative to the permits required from other agencies and the construction activities of other projects, the City requests the Commission verify the following:

1. Will the US Environmental Protection Agency (EPA) require a PSD filing? If so, when will the application be filed by the CECP, and how long does the US EPA expect the processing to take?
2. Will the Regional Water Quality Control Board (RWQCB) be required to issue any permits and hence require the filing of any application? If so, when will the application be filed by the CECP? How long does the RWQCB expect processing to take once they have received the application?
3. Does the San Diego Air Pollution Control District (APCD) consider the Final Determination of Compliance (FDOC) to be a final document? If not, what steps are necessary to obtain approval from the air district, and when does the district expect to issue its approval.
4. Will the State Lands Commission (SLC) require a revision to its lease? If so, when will the CECP apply for the revision, and how long does the SLC expect approval to take?

Because the City believes the CECP is located in the wrong place, a thorough understanding of the proposed alternative sites is important to the Committee's deliberations in this area. To ensure the Committee has a full understanding of the land use, visual and other issues associated with the alternative sites, the City requests that the Committee take time, approximately 45 minutes, during the hearing process to visit the sites proposed by the City.

The following addresses the topic areas outlined in the Committee's "Notice of Prehearing Conference and Evidentiary Hearings", dated December 7, 2009.

1. "Topic Areas that are complete and ready to proceed to evidentiary hearing."

   With the exception of the submission of the Coastal Commission Report, the City believes all topic areas are complete and ready for evidentiary hearing.

2. "The topic areas that are not complete and not yet ready to proceed to evidentiary hearing, and the reasons therefore."

   All topic areas are complete.

3. "The topic areas that remain disputed and require adjudication, and the precise nature of the dispute for each topic."

   <u>Policy</u>

   The CECP fails to conform to the City's long-held vision for the CECP parcel and surrounding lands. This vision, as enunciated by the City Council, has consistently been

applied to proposed projects in the Agua Hedionda Lagoon area. The CECP proposed project is in the wrong location.

Land Use

The CECP is inconsistent with the City's General Plan, Precise Development Plan and zoning restrictions. Although the CECP parcel is zoned "PU" or "U", the CECP is not a utility or public utility – it is a merchant plant and should be treated as any other industrial facility. Also, the CECP refused to follow the City's master plan (SP 144) procedures, and fails to conform to zoning and precise development plan requirements, such as setbacks, environmental factors and public improvements.

Redevelopment areas within the State are authorized by state law to assist communities to eliminate blight. The South Carlsbad Coastal Redevelopment Area Plan requires a finding of extraordinary public purpose for certain industrial facilities to be located within the redevelopment zone. The CECP does not provide these benefits and, thus, is inconsistent with the area plan.

The proposed CECP is not consistent with the California Coastal Act or the Agua Hedionda Land Use Plan. The CECP is not a "coastal-dependent facility" and will cause adverse impacts to visual and land use coastal resources. Additionally, the CECP fails to advance the goals of the Coastal Act by providing increased beach access.

Cumulative Impacts

Although the CEC staff Final Staff Assessment (FSA) discusses certain foreseeable projects, there is no uniformity in the discussions, and the FSA fails to reach conclusions consistent with the cumulative project discussions. The City provides a discussion of the reasonably foreseeable projects and a recommendation on how best to incorporate these projects into the Commission's review process.

Visual Impacts

The CECP and the staff have failed to produce visual representations of the CECP with the cumulatively foreseeable projects included. The City has provided these representations and evaluates the visual impacts on the citizens of Carlsbad, its visitors and its areas of recreation.

Worker Safety

The Carlsbad Fire Department has evaluated the CECP and has concluded that the site is too constrained to provide for safe emergency services. The existence of the "pit" and the narrow access roads cause safety concerns. These concerns can be mitigated with wider access roads and a better fire suppression system.

Alternatives

The City recognizes that new power generation facilities may be necessary and has identified two inland locations suitable for power plants. A private operator bid these sites into the current SDG&E RFO, thus demonstrating their feasibility.

4. "The identity of each witness sponsored by each party; the topic areas which each witness will present; a brief summary of the testimony to be offered by each witness; qualifications of each witness; and the time required to present direct testimony by each witness."

The required individual witness information requested above is listed below. In order to expedite the hearing process, the City of Carlsbad requests that the following be set as panels for the purpose of presenting direct testimony and being subjected to cross-examination:

Panel One	Redevelopment	Murray Kane/Debbie Fountain
Panel Two	Coastal Act	Ralph Faust/Gary Barberio/Scott Donnell
Panel Three	Worker Safety	Kevin Crawford/Chris Heiser/Jim Weigand

a. Lisa Hildabrand Topic Area: City Policy
Time for Direct – 5 minutes
Ms. Hildabrand is the City Manager for the City of Carlsbad.
Ms. Hildabrand will testify to the policies of the City and how the proposed CECP fails to conform to the city's vision.

b. Murray Kane Topic Area: California Redevelopment Law
Time for Direct – 5 minutes
Mr. Kane is a recognized expert in California Redevelopment Law and is special counsel to numerous California redevelopment agencies.
Mr. Kane will testify to the legal framework and goals of California Redevelopment law.

c. Debbie Fountain Topic Area: Carlsbad Redevelopment Agency
Time for Direct – 5 minutes
Ms. Fountain is the Director of the Carlsbad Housing and Redevelopment Authority which oversees the Carlsbad Redevelopment Agency.
Ms. Fountain will testify that the CECP fails to conform to the requirements of the Agency.

d. Scott Donnell Topic Area: Land Use
Time for Direct – 5 minutes

Mr. Donnell is a Senior Planner with the City of Carlsbad with over eleven years of experience in the Carlsbad Planning Department
Mr. Donnell will testify that the CECP is inconsistent with the City of Carlsbad planning regulations, including the General Plan.

e. Ralph Faust Topic Area: Coastal Act
Time for Direct – 5 minutes
Mr. Faust served as Chief Counsel to the California Coastal Commission for over twenty years.
Mr. Faust will testify to the proper definition of Coastal-dependent facilities and the ability of the City of Carlsbad to perform a Coastal Act consistency determination.

f. Gary Barberio/Scott Donnell (see above) Topic Area: Carlsbad Coastal Act Consistency
Time for Direct – 10 minutes
Mr. Barberio is the Community and Economic Director for the City of Carlsbad.
Mr. Barberio and Mr. Donnell will sponsor a report on the CECP consistency with the California Coastal Act.

g. Mike Hogan Topic Area: Cumulative CEQA Analysis
Time for Direct – 5 minutes
Mr. Hogan is an attorney with 30 years of experience in CEQA.
Mr. Hogan will testify to the proper analysis for cumulative impacts and will confirm the projects that should be included in a cumulative analysis.

h. Juan Martinez Topic Area: Computer generated representations
Time for Direct – 5 minutes
Mr. Martinez of HNTB has over eleven years of experience in creating civil engineering representations.
Mr. Martinez will sponsor visual simulations of the CECP with the cumulative projects included.

i. Don Neu Topic Area: Visual Impacts
Time for Direct – 5 minutes
Mr. Neu is the Planning Director for the City of Carlsbad
Mr. Neu will testify on the visual impacts that will occur with the construction of the CECP at the proposed location.

j. Kevin Crawford Topic Area: Worker Safety
Time for Direct – 5 minutes
Chief Crawford is the Fire Chief for the City of Carlsbad.

k. Chris Heiser Topic Area: Worker Safety
Time for Direct – 5 minutes

Chief Heiser is the Fire Operations Chief for the Carlsbad Fire Department, in charge of fire operations.

l. Jim Weigand Topic Area: Worker Safety
Time for Direct – 5 minutes
Chief Weigand is the Fire Marshal for the City of Carlsbad and is responsible for fire/emergency and prevention.

m. Joe Garuba Topic Area: Alternatives
Time for Direct – 5 minutes
Mr. Garuba is the Real Estate and Asset Manager for the City of Carlsbad and has been active in the CECP proceeding since its inception.
Mr. Garuba will present the City's Alternatives Analysis.

5. "The identities of the witnesses, if any, that the party desires to have testify via telephone."

Noise:	Staff witness Baker	5 minutes
Water:	Staff witness Marshal/Conway	5 minutes
Traffic:	Staff witness DeBauche	5 minutes
RPS	ISO witness McIntosh	10 minutes

6. "Topic areas upon which a party desires to cross-examine witnesses, a summary of the scope of such cross-examination, and the time desired for such cross-examination." It is possible that the CEC staff, the CECP, and/or other interveners will file additional testimony today that requires a City response.

Project Description
Staff Witness Monosmith Cross estimate: 30 minutes
Summary: Completeness of project description and cumulative project treatment.

Land Use
Staff Witness Vahidi Cross estimate: 30 minutes
Summary: Coastal act definitions, Redevelopment agency deference, location of Coastal Rail Trail and consistency with local land use regulations.

Visual Resources
Staff Witness Kanemoto Cross estimate: 10 minutes
Summary: Sufficiency of area for screening, acceptable screening materials, and visual impact conclusions.

Worker Safety and Fire Protection
Staff Witness Greenberg Cross estimate: 30 minutes

Summary: Fire protection concerns, location of Coastal Rail Trail, impacts from widening of highway I-5.

Alternatives
Staff Witness Monosmith Cross estimate: 10 minutes
Summary: Characterization of environmental impacts at alternate locations and basis for impact determinations.

7. "A list identifying exhibits and declarations that each party intends to offer into evidence and the technical topics to which they apply."

   The City of Carlsbad exhibit list is attached (also submitted with testimony on January 6, 2010)

8. Proposals for briefing deadlines, vacation schedules, and other scheduling matters."

   a. Briefing deadlines: No position
   b. Vacation schedules: None
   c. Scheduling matters: Two City of Carlsbad witnesses are coming from significant distances. A date certain would be appreciated for Ralph Faust (Coastal Act) and Juan Martinez (Visual).

9. "A description of any modifications to the Conditions of Certification listed in the Final Staff Assessment that the party intends to propose."

   The City of Carlsbad has not developed its own recommended Conditions of Certification for Land Use, Visual Resources, or Worker Safety as, at the present time, the City cannot envision conditions that would make the CECP acceptable to the city or its inhabitants. The City of Carlsbad recommends the following Condition of Certification additions and corrections:

HAZ-9	Delete
LAND-1	Delete
VIS-2	Delete: "tall fast growing evergreen shrubs and trees" and replace with "native plants or non-native drought tolerant plants, which are non-invasive."
VIS-5	Delete: "fast-growing evergreen trees", and replace with "native plants or non-native drought tolerant plants, which are non-invasive."
WORKER SAFETY-6	Delete: "as per the dimensions in Revised Figure 2.2-1" and

Replace with "50 foot or greater width for the lower perimeter road, and 25 foot or greater width for the upper perimeter road (Applicant may fill-in the pit prior to construction as an alternative to the required additional road widths).

WORKER SAFETY-9 Delete: "In no event shall the project owner grant or dedicate an easement for the Coastal Rail Trail east of the Rail Corridor on the CECP site."

Attached to this Prehearing Conference Statement is a motion to hold the record open pending the submission of a Coastal Commission report pursuant to PRC 30413(d).

We look forward to resolving the many issues that the City of Carlsbad has with the CECP site.

City of Carlsbad and the Carlsbad Housing and Redevelopment Commission
Exhibit List for Prepared Direct Testimony
California Energy Commission Consideration of the Carlsbad Energy Center Project (07-AFC-6)

Exhibit #		Area		Description		Sponsor
400		Policy		City Council resolving to oppose CECP because inconsistent with LORS: Resolution 2009-323		Lisa Hildabrand
401		Policy		Housing and Redevelopment Commission Opposing CECP because violates LORS: Resolution 482		Lisa Hildabrand
402		Policy		Map of the City of Carlsbad's vision for the power plant site		Lisa Hildabrand
403		Policy		City council precludes all non-coastal dependent industrial applications, including energy generation from any future		Lisa Hildabrand
404		Policy		Prohibiting the expansion or location of thermal electric power generation facilities in the coastal zone pending studies and General Plan changes; directing the staff to conduct studies and make recommendations to the General Plan Resolutions: CS-067 and 2009-263		Lisa Hildabrand
405		Policy		City Council and Housing and Redevelopment Commission resolving that CECP does not comply with LORS: Resolution 2009-020		Lisa Hildabrand
406		Redevelopment		Map of the South Carlsbad Coastal Redevelopment Project Area		Debbie Fountain
407		Redevelopment		Revised Redevelopment Plan, pages 62-99		Debbie Fountain
408		Redevelopment		Letter dated June 18,2001 on the Cabrillo Power Draft Memorandum of Understanding		Debbie Fountain
409		Redevelopment		Resolution of the Planning Commission reccommending the approval of Poseidon Desalination Plant: Resolution 6091		Debbie Fountain

City of Carlsbad and the Carlsbad Housing and Redevelopment Commission
Exhibit List for Prepared Direct Testimony
California Energy Commission Consideration of the Carlsbad Energy Center Project (07-AFC-6)

410		Land Use		City of Carlsbad General Plan		Scott Donnell
411		Land Use		Chapter 21.36 of the City's Zoning Ordinance		Scott Donnell
412		Land Use		Agua Hedionda Land Use Plan		Scott Donnell
413		Land Use		Scenic Corridor Guidelines		Scott Donnell
414		Land Use		Agua Hedionda Land Use Map		Scott Donnell
415		Land Use		Resolution of Carlsbad City Council to consider zoning changes pertaining to the Encina Power Plant: Resolution 98-145		Scott Donnell
416		Land Use		Resolution of the Carlsbad City Council to allow the desalination project to be processed without a comprehensive update of the specific plan 144: Resolution 2003-208		Scott Donnell
417		Land Use		City Manager letter of support to SDG&E for the Desalination Plant		Scott Donnell
418		Land Use		1990 California Coastal Commission Report to the California Energy Commission		Scott Donnell
419		Land Use		California Energy Commission Issues and Alternatives Report: Executive Summary and Table of Contents		Scott Donnell
420		Coastal		Proposed Carlsbad Energy Center Project (CECP) California Coastal Act Conformance Report 2009		Scott Donnell, Gary Barbario
421		Visual		HNTB Visual simulation, view from Key Obeservation Point 4		Juan Martinez
422		Visual		HNTB Visual simulation, view from Key Obeservation Point 6		Juan Martinez

City of Carlsbad and the Carlsbad Housing and Redevelopment Commission
Exhibit List for Prepared Direct Testimony
California Energy Commission Consideration of the Carlsbad Energy Center Project (07-AFC-6)

423		Visual		HNTB Visual Simulation, view from the North Bluff across the lagoon		Juan Martinez
424		Visual		HNTB Visual Simulation , 3-D graphic of the CECP with access road widths and accounting for the I-5 Freeway widening		Juan Martinez
425		Alternatives		City Manager Letter of Support to SDG&E for the Poseidon Desalination Project dated August 6, 2009		Joe Garuba
426		Alternatives		FAA's reports on Alternative sites		Joe Garuba
427		Alternatives		Cumulative project descriptions with a cover sheet		Joe Garuba
428		Alternatives		Map of Transmission interconnection site		Joe Garuba
429		Land Use		City of Carlsbad Chronology for the Encina Power Plant		Scott Donnell
430		Visual		HNTB visual simulation video of the power plant while driving		Juan Martinez
431		Visual		HNTB visual simulation video of the power plant from a helicopter circling the plant		Juan Martinez
432		Policy		Carlsbad City Council adopting an emergency measure prohibiting the expansion of gas and electric utility facilities located within the public utility zone		Lisa Hildabrand

STATE OF CALIFORNIA

Energy Resources Conservation
And Development Commission

In the Matter of:	)	
	)	
Application for Certification for the	)	Docket No. 07-AFC-06
Carlsbad Energy Center Project	)	
	)	

MOTION OF THE CITY OF CARLSBAD
TO
HOLD RECORD OPEN PENDING COASTAL COMMISSION REPORT

January 21, 2010

Allan J. Thompson
21 "C" Orinda Way, #314
Orinda, CA 94563
(925) 258-9962
allanori@comcast.net

Ronald R. Ball
City Attorney and
General Counsel for
Redevelopment Agency

STATE OF CALIFORNIA

Energy Resources Conservation
And Development Commission

In the Matter of:	)	
	)	
Application for Certification for the	)	Docket No.07-AFC-06
Carlsbad Energy center Project	)	
_____	)	

MOTION OF CITY OF CARLSBAD
TO
HOLD RECORD OPEN PENDING COASTAL COMMISSION REPORT

At issue is the requirement that the California Coastal Commission must submit a report to the California Energy Commission on the conformance of a proposed power plant site in the Coastal Zone with the requirements in the California Coastal Act. California Public Resources Code section 30413(d) states:

> "Whenever the State Energy Resources Conservation and Development Commission exercises its siting authority and undertakes proceedings pursuant to the provisions of Chapter 6 (commencing with Section 25500) of Division 15 with respect to any thermal powerplant or transmission line to be located, In whole or in part, within the coastal zone, the commission shall participate In those proceedings and shall receive from the State Energy Resources Conservation and Development Commission any notice of intention to file an application for certification of a site and related facilities within the coastal zone. The commission shall analyze each notice of intention and shall, prior to completion of the preliminary report required by Section 25510, forward to the State Energy Resources Conservation and Development Commission a written report on the suitability of the proposed site and related facilities specified in that notice."

Previously in this proceeding the Applicant has claimed that the Coastal Commission is not required to submit the 30413(d) report and the report requirement does not apply in this case because the proceeding as an Application for Certification, not a Notice of Intention. An excellent argument against this position can be found in the "Staff's Comments on the Revised PMPD" in the El Segundo Power Redevelopment Project proceeding (00-AFC-14) starting at page 4. The Staff concluded:

> "On its face, PRC Section 30413(d) of the California Coastal Act makes it mandatory for the Coastal Commission to participate in CEC proceedings '[w]henever the [Energy Commission] exercises it siting authority and undertakes proceedings pursuant to the provisions of Chapter 6 (commencing with Section 25500) of Division 15 [of the Warren Alquist Act] with respect to any thermal powerplant or transmission line to be located in whole or in part, within the coastal zone. . .(emphasis added). This language plainly and clearly requires the Coastal Commission to participate in all Energy Commission siting cases in which power plants are to be located within the Coastal Zone, *regardless of whether those proceedings are NOIs, AFCs SPPE's, etc*".

The City of Carlsbad is aware that the California Coastal Commission (CCC) staff filed a letter on October 16, 2007 informing the CEC staff that the Coastal Commission would not participate in this proceeding. The City does not believe the CCC staff can abrogate legal responsibilities of its Commission and refuse to create the required report on the suitability of a coastal site. The City has consistently held the position in this proceeding (See correspondence from Ronald R. Ball to the staff of the CEC on August 6, 2008, August 16, 2008 and August 27, 2008) that a Coastal Commission report is required.

Although the code requires the Coastal Commission to submit its report "prior to the completion of the preliminary report", the City does not believe that this failure is critical so long as the record remains open pending the completion, filing and consideration of the report prior to the record being closed, as provided in the CEC-CCC memorandum of understanding of April 14, 2005.

The City is aware that the Legislative Counsel Office issued an opinion on August 2, 2004 coming to a different conclusion. The two agencies (California Coastal Commission and the California Energy Commission) subsequently signed a Memorandum of Understanding which clearly obligates the Coastal Commission to participate in all CEC proceedings where the proposed location is within the Coastal Zone.

This Memorandum, dated April 14, 2005 and attached hereto, contains the following:

> "Pursuant to requirements of Sections 25523(b) and 30413(d), the Coastal Commission is responsible, during the AFC proceeding for each project, for reviewing thermal power plant projects proposed in the coastal zone and providing a report to the Energy Commission specifying provisions regarding the proposed site and related facilities to meet the objectives of the California Coastal Act."

and

> "...in order for the Coastal Commission's report to be the basis of conditions of certification in the Energy Commission's decision, the Coastal Commission will provide the report in time to be entered

into the Energy Commission's hearing record at an evidentiary hearing in the AFC proceeding."

The obligations of the California Coastal Commission are clear – it must submit a report on a proposed powerplant site to the California Energy Commission before the record is closed in a siting case involving a site within the Coastal Zone. The CEC staff has attempted to replace the Coastal Commission analysis, but the statutory schemes provide for the very different power, duties and responsibilities of the two agencies. The Coastal Commission is under the obligation to "protect, enhance and where feasible, restore the overall quality of the coastal zone environment (PRC 30001.5) and the Energy Commission is obligated to see that an application is consistent with existing laws, ordinances, rules and standards (PRC 25525)

Even though CEC staff lacks meaningful Coastal Act experience, they were placed in the awkward position of having to perform a consistency analysis. Additionally, the City of Carlsbad has been required to prepare its own consistency report of Coastal Act conformance due to the refusal of the Coastal Commission staff to participate in this proceeding. This all could have been avoided had the Coastal Commission report been timely submitted.

While this motion represents an imperfect pathway to resolving this issue, the Energy Commission is under a legal obligation to include a Coastal Report in its siting cases. There is no other apparent pathway for insuring that the Coastal Commission's views are placed on the record in this record.

Respectfully submitted:

January 14, 2010

Ronald R. Ball, City Attorney

City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

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 12/30/2009)

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
500 Capitol Mall, Suite 1600
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
***ron.ball@carlsbadca.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.
4213 Sunnyhill Drive
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

*indicates change