

public hearing on the PMPD, and it sets the adoption hearing only one week after the close of the comment period.

This sudden rush, after such a long hiatus in the proceeding and no word from the Committee on the estimated timetable until the Friday evening before the Monday issuance of the PMPD, adversely affects the public process. In addition, this schedule is inconsistent with the previous scheduling orders. All the scheduling orders in this case explicitly stated that the hearing on the PMPD would be “near the end of PMPD comment period.” (*See, e.g.*, Committee Briefing Order and Revised Schedule (July 12, 2010) at 4; Committee Order Extending Reply Brief Deadline (Sept. 22, 2010 at 2).) This schedule places the PMPD hearing in the first ten days of the thirty day comment period. Moreover, it sets the adoption hearing one week after the close of comments. This is also inconsistent with previous scheduling orders that stated that the adoption period would be determined “shortly after PMPD or revised PMPD comment period ends.” (*Id.*)

The Center respectfully requests that the schedule be adjusted per the City’s request.

DATED: May 13, 2011



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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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APPLICATION FOR CERTIFICATION
FOR THE **CARLSBAD ENERGY
CENTER PROJECT**

**Docket No. 07-AFC-6
PROOF OF SERVICE**
(Revised 1/24/2011)

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DECLARATION OF SERVICE

I, Jessie Baird, declare that on May 13, 2011, I served and filed copies of the attached, CENTER FOR BIOLOGICAL DIVERSITY'S RESPONSE IN SUPPORT OF CITY OF CARLSBAD AND CARLSBAD REDEVELOPMENT AGENCY'S MOTION TO ENLARGE RESPONSE TIME AND/OR CONTINUE FINAL FULL COMMISSION HEARING DATE TO REASONABLE TIME. The original of these documents, 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 documents have 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;
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AND

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- 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.


