

STATE OF CALIFORNIA
Energy Resources Conversation
And Development Commission

DOCKET
07-AFC-6
DATE <u>NOV 21 2011</u>
RECD. <u>NOV 21 2011</u>

In the Matter of:

The Application for Certification for the
CARLSBAD ENERGY CENTER PROJECT

Docket No. 07-AFC-6

POWER OF VISION'S
REQUEST FOR DATA

November 21, 2011

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REQUEST FOR DATA

On November 9, 2011 the California Energy Committee (CEC) Siting Committee released its revised Committee Scheduling Order, which contained six (6) new topics to be the focus of additional evidentiary hearings.

Intervenor Power of Vision (POV) recognizes the compressed nature of the schedule, however, these subjects reflect new areas of focus, and certain information is important in order to competently discuss and evaluate potential project impacts.

As such, POV respectfully requests an opportunity for discovery, specifically in the form of data requests. The use of data requests has been the established method of information sharing in this process, and POV believes that it is in the best interests of the Committee to provide an opportunity for interested parties such as intervenors to have access to relevant information prior to submitting testimony.

Therefore, POV requests that the Committee issue the following data requests to the Applicant:

- 1) RE: Federal PSD Permit; Request the total annual emissions of CO, NO_x, PM₁₀, ROG, & SO_x from each of the five steam generating units at the Encina Power Station for the year 2010 and for the first nine months of 2011.
- 2) RE: Conditions Land-2 & LAND-3; Applicant claims that these conditions would make the project economically unviable. Request data showing that the project is viable without Conditions Land-2 & LAND-3.

POV recognizes that time is of importance, and that the Applicant is likely to argue the opportunity for these types of information requests have passed. However, the Committee clearly identified these 6 topics as new areas of discussion which have not been dealt with formally so far by the CEC in the review of the CECP, and a request for information is wholly appropriate considering that this project is still in the pre-evidentiary hearing phase. POV would suggest an expedited timeframe for fulfilling the data requests in order to keep the proposed schedule.

Respectfully Submitted,

Julie Baker
Arnold Roe, PhD
Power of Vision



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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**APPLICATION FOR CERTIFICATION
FOR THE CARLSBAD ENERGY
CENTER PROJECT**

**Docket No. 07-AFC-6
PROOF OF SERVICE
(Revised 10/24/2011)**

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QuickTime™ and a
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are needed to see this picture.

DECLARATION OF SERVICE

I, Julie Baker, declare that on November 21, 2011, I served and filed copies of the attached Power of Vision Request for Data. 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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depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

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docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Julie Baker