

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION
FOR THE CARRIZO ENERGY SOLAR
FARM BY CARRIZO ENERGY, LLC**

DOCKET NO. 07-AFC-8

**CARRIZO ENERGY, LLC'S OBJECTIONS TO MICHAEL STROBRIDGE'S
MARCH 16, 2009 DATA REQUESTS (SET 4)**

DOCKET	
07-AFC-8	
DATE	<u>April 06 2009</u>
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April 6, 2009

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Carrizo Energy, LLC ("Carrizo") provides this objection, along with responses where feasible, to intervenor Michael Strobridge's March 16, 2009 Data Requests regarding the Carrizo Energy Solar Farm ("Project") Application for Certification ("AFC") (07-AFC-8). Mr. Strobridge served these data requests on Carrizo on March 16, 2009.

Consistent with the requirements of California Energy Commission ("Commission") regulations, this objection is being filed within 20 days of receiving the data requests. (*See* 20 C.C.R. § 1716[f].) The objections made below are based on the Warren-Alquist Act Siting Regulations and the California Environmental Quality Act ("CEQA"), both of which specify the type and quantity of information Carrizo must provide in response to informational requests of other parties, including Mr. Strobridge. (*See* Cal. Pub. Res. Code § 21000 et seq. and § 25000 et seq.)

Carrizo recognizes that Mr. Strobridge is not only an intervenor, but is also a local resident and member of the public. Mr. Strobridge may not be as familiar with the Commission's project certification process as the other intervenors. However, as discussed below, the time for submitting data requests has long passed. Carrizo objects to all of Mr. Strobridge's data requests as untimely. Nonetheless, without waiving its legal objections, Carrizo is providing responses to some of Mr. Strobridge's March 16, 2009 Data Requests to the extent feasible at this point in the process for this project. However, Carrizo emphasizes that it may not be able to provide responses to any future untimely data requests due to the potential for delay and unnecessary hardship to the parties.

I. APPLICABLE LAW

The Commission's regulations govern the informational requirements for the discovery stage of the Commission's proceeding on the Project's AFC, which includes data requests.

These regulations provide:

Any party may request from the applicant any information reasonably available to the applicant which is relevant to the notice or application proceedings or reasonably necessary to make any decision on the notice or application.
(20 C.C.R. § 1716[b].)

Therefore, the regulations limit information requests to information that is both reasonably available to the applicant, and that is relevant to the Project's AFC proceedings or reasonably necessary to make any decision on the Project's AFC.

A. Definition of "Reasonably Available"

Neither the Warren-Alquist Act nor the Commission's regulations includes a definition of "reasonably available." However, other statutes and case law provide some guidance on this issue in the context of written civil discovery requests (interrogatories). Generally, a response to interrogatories must be "as complete and straightforward as the information *reasonably available* to the responding party permits." (Cal. Code Civ. Proc. § 2030.220[a] [italics added].) A party may object to a discovery request if it is "burdensome and oppressive," or where it would create undue burden and expense, rendering the discovery request unjust.¹ (See Cal. Code Civ. Proc. § 2030.090[b].)

B. Definition of "Relevant to the Application Proceedings"

Neither the Warren-Alquist Act nor the Commission's regulations includes a definition of "relevant." However, statutes and case law pertaining to civil discovery provide guidance on this issue. To be valid, a discovery request must seek matter which is "relevant to the subject matter involved in the pending action or to the determination of any motion made in that action...." (Cal. Code Civ. Proc. § 2017.010.) Information is regarded as "relevant to the subject matter" if

¹ In determining whether the burden of answering a discovery request is unjust, a weighing process is used: It must appear that the amount of work required to answer the questions is so great, and the utility of the information sought so minimal, that it would defeat the ends of justice to require the answers. (See *Columbia Broadcasting System, Inc. v. Sup. Ct.*, 263 Cal. App. 2d 12, 19 [1968]; and *West Pico Furn. Co. v. Sup. Ct.*, 56 Cal. 2d. 407, 417-418 [1961].)

it might reasonably assist a party in evaluating the case, preparing for trial, or facilitating settlement thereof. (*Stewart v. Colonial Western Agency, Inc.*, 87 Cal. App. 4th 1006, 1013 [2001].) “Relevance” may vary with size and complexity of the case and must be considered with regard to the burden and value of the information sought (among other factors). (*See Bridgestone/Firestone, Inc. v. Sup. Ct. [Rios]*, 7 Cal. App. 4th 1384, 1391.)

C. Definition of “Reasonably Necessary to Make Any Decision on the Application”

CEQA provides guidance for determining what information is “reasonably necessary” to make a decision on the AFC. CEQA specifies that an Environmental Impact Report (EIR) be prepared with “a sufficient degree of analysis to provide decision-makers with information which enables them to make decisions which intelligently take account of environmental consequences.” (14 C.C.R. § 15151.) Specifically, the law requires that “an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.” (*Id.*) An EIR is required to evaluate environmental impacts only to the extent that it is reasonably feasible to do so. (*In Re Bay-Delta et. al.*, 43 Cal. 4th 1143, 1175 [3rd Dist. 2008].) The information in an environmental document prepared under a certified regulatory program should be guided by similar principles. Furthermore, CEQA “does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended,” and it does not require that all experts consulted on the matter agree as to the best methods by which to proceed. (14 C.C.R. § 15204[a] and § 15151.)

II. GENERAL OBJECTIONS

Carrizo objects to all of Mr. Strobridge’s data requests because they are nine months late. Carrizo notes that the time to submit data requests has long passed and continued requests for additional information this late in the Project certification process will cause undue delay. The Commission’s regulations state: “All requests for information shall be submitted no later than 180 days from the date the commission determines an application is complete, unless the committee allows requests for information at a later time for good cause shown.” (20 C.C.R. § 1716[e].) The Commission determined the Project AFC to be complete on December 19, 2007. Therefore, the last day to submit data requests without a showing of good cause was June 16,

2008. Mr. Strobridge has not made any showing of good cause for seeking this information at this point in the Project's proceedings. The February 13, 2009 Committee Order granting Mr. Strobridge's Petition to Intervene states at page 2: "The deadlines for conducting discovery and other matters shall not be extended by the granting of these petitions." Thus, Carrizo is under no obligation to respond to any data requests from any party at this time.

Carrizo has responded in writing to public comments from a very early point in the Project's proceedings, and has continued to do so long after the deadline for information requests specified in section 1716(e) of the Commission's regulations. Unlike most Commission proceedings, Carrizo has transcribed workshops and provided written responses to questions asked by members of the public from those workshops. In the interest of maintaining a reasonable certification timeframe, Carrizo requests that the Commission adhere to its regulations regarding the submission of data requests from intervenors and other parties and refrain from requiring Carrizo to respond to these data requests. This will ensure that the proceedings will continue as scheduled.

In addition, Carrizo objects to several of Mr. Strobridge's data requests because the information they seek is not reasonably available to Carrizo, not relevant to the notice or application proceedings, and/or not necessary to make any decision on Carrizo's AFC, as required by the Commission's regulations discussed above. (*See* 20 C.C.R. § 1716[b].) These specific objections are indicated below in the "Specific Objections and Responses" section.

III. SPECIFIC OBJECTIONS AND RESPONSES

In addition to the general objections described above, Carrizo provides the following specific objections, and responses where feasible, to Mr. Strobridge's individual data requests. In providing these selected responses, Carrizo in no way waives any general or specific objections to these data requests, nor does Carrizo imply that it will respond to any additional data requests.

A. Response to Data Request 1

Data Request 1 asks Carrizo to "address cumulative impacts regarding traffic from the CESF, First Solar and Sunpower." Mr. Strobridge asserts that "all three solar projects

construction periods will overlap resulting in significant traffic delays and hazards therefore cumulative impacts need to be addressed [sic].”

Both the AFC and the AFC Supplement provide lists of existing and future projects located in the area of influence (defined as an area within a 5-mile radius of the Project) and analysis of potential cumulative effects represented by the Project.

On July 18, 2008, Optisolar submitted a Conditional Use Permit (CUP) application to the San Luis Obispo County Planning and Building Department for the Topaz Solar Farm (TSF). Subsequently, in response to Commission Data Request 112, Carrizo prepared a cumulative impacts analysis that addressed the expected cumulative impacts due to the construction, operation, and maintenance of both the Project and the TSF. This analysis included an analysis of traffic and transportation, and was docketed on September 24, 2008. (*See Carrizo’s Responses to CEC Data Requests 101-112, Attachment A.*)

On January 14, 2009, SunPower submitted a CUP application to the San Luis Obispo County Planning and Building Department for the California Valley Solar Ranch (CVSR). Based on the construction traffic information provided in the CVSR CUP application, the CVSR daily peak construction trip generation is approximately 236 daily trips. Even with the CVSR cumulative trips added to the peak Project and TSF construction traffic, the Level of Service (“LOS”) on SR-58 (east and west of the Project site) and Bitterwater Road would remain the same as that presented in Table 4 of the Supplement to the Project AFC. Furthermore, the conclusion of no significant cumulative impacts described in the AFC would remain unchanged. Furthermore, per the CVSR CUP, a majority of the delivery and truck traffic will travel along Highway 46 to Bitterwater Road or Shell Creek Road.

On March 2, 2009, First Solar announced that it had entered into an agreement to acquire OptiSolar’s solar project pipeline, including the TSF. The transfer of projects to First Solar likely indicates that the projects, including the Topaz Solar Farm, will be built with cadmium-telluride solar cells instead of OptiSolar’s amorphous silicon photovoltaic panels. No additional information has been filed since the acquisition. Therefore, Carrizo does not have sufficient information to determine whether the traffic and transportation cumulative analysis submitted in September 2008 would be affected by the potential change in technologies.

B. Response to Data Request 2

Data Request 2 asks Carrizo to “address cumulative impacts between the CESF truck traffic and the Santa Margarita Ranch development truck traffic, which will overlap with the CESF construction.”

Carrizo researched and analyzed construction traffic related to the Project and concluded that the Project would create no significant impacts to traffic and transportation. (See AFC at pages 5.11-11 and 5.11-12.) The Santa Margarita Ranch (SMR) Final EIR does not analyze or report construction traffic levels, and the EIR does not indicate any finding of significance related to construction traffic impacts. Carrizo was unable to analyze the incremental effect of the combined construction traffic impacts of both projects due to the lack of analysis of any construction related traffic attributed to the SMR project. Therefore, the ultimate finding of no significant impact as stated in section 5.11.3 of the AFC will remain unchanged.

C. Objections to Data Request 3

Data Request 3 asks Carrizo to “explain mitigation options for the town of Santa Margarita in regards to truck traffic.”

1. Data Request 3 Is Not a Proper Data Request Because It Is Not Reasonably Necessary to Make a Determination on the Project’s AFC.

Data Request 3 inquires about mitigation measures for the Project’s potential traffic impacts. Carrizo objects to this data request because information on traffic mitigation has already been provided in the Preliminary Staff Assessment (“PSA”) and in Carrizo’s Post-PSA Draft Traffic Mitigation Plan (the “Traffic Mitigation Plan”). Many of these mitigation measures cover a broad geographical scope; for example, heavy hauling is limited to the off-peak hours between 9 a.m. and 4 p.m. on weekdays, with no more than 10 such truck trips per day on eastbound SR-58 and no more than 10 such truck trips per day on westbound SR-58. (Traffic Mitigation Plan § 1.7.) These mitigation measures already apply to Santa Margarita. Furthermore, the Traffic Mitigation Plan will include a Traffic Haul Route Plan, Traffic Handling Plan, and a Truck Turning Template at Project and Construction Laydown Area Driveways on SR-58. (*Id.* at Sheets 1-4.) Because information on traffic mitigation has already

been provided, Carrizo objects to Data Request 3 because the information it seeks is unnecessary.

2. Data Request 3 is Not a Proper Data Request Because It Is Not a Request for Data.

As discussed above, the Commission's regulations specify the scope of a proper request for information. These regulations provide: "Any party may request from the applicant any information reasonably available to the applicant which is relevant to the notice or application proceedings or reasonably necessary to make any decision on the notice or application." (20 C.C.R. § 1716[b].) Data Request 3, however, does not request information. Instead, it requests Carrizo to develop a program to address an impact which Carrizo has found to be less than significant, and which is already mitigated by the Traffic Mitigation Plan. (AFC § 5.11.3; *see also* Traffic Mitigation Plan.) Carrizo has endeavored to respond to Mr. Strobridge's questions about potential specific impacts resulting from the Project. However, Carrizo is not required to speculate as to further "mitigation options" that it believes will not be necessary.

D. Response to Data Request 4

Data Request 4 asks Carrizo to "explain what times trucks will enter the Santa Margarita Elementary school zone. A large amount of students walk to school in Santa Margarita truck traffic [sic] would be an extreme hazard to the students."

Carrizo responds that the Santa Margarita Elementary School is in session from 8:20 a.m. to 2:40 p.m., Monday through Friday. As indicated in the Traffic Mitigation Plan, Carrizo has modified construction and operational truck traffic to minimize school-related pedestrian and roadway impacts. The Traffic Mitigation Plan will ensure that any school-related impacts are less than significant.

Staff also analyzed traffic impacts to Carrisa Plains School, which is closer to the Project site than the Santa Margarita Elementary School, and is located directly adjacent to SR-58. (PSA at 4.10-11.) Staff concluded that the Project's construction traffic will not present a direct safety hazard to students at the school. (*Id.*) Since the impacts to the Carissa Plains School would be expected to be greater than those to Santa Margarita Elementary School, the Project's

impacts to the latter school will not be significant.

E. Response to Data Request 5

Data Request 5 asks Carrizo to “explain what time trucks will enter the McKittrick Elementary School zone which is located on highway 58 on the Kern County side.” Mr. Strobridge claims that “truck traffic would have a significant impact to school related traffic.”

Carrizo responds that the McKittrick Elementary School is in session from 8:15 a.m. to 2:35 p.m., Monday through Friday. No students currently walk to school (per personal communication between Kristen Walker [URS Corporation (“URS”) (consultant for Carrizo)] and Barry Koerner [McKittrick School District Superintendent]). However, as indicated in the Traffic Mitigation Plan, Carrizo has modified construction and operational truck traffic to minimize school-related pedestrian and roadway impacts. (Traffic Mitigation Plan § 1.7.)

F. Responses to Data Requests 6, 7, 9, 10, and 15

Data Request 6 asks Carrizo to “describe how many bottom dump and or transfer trucks will be needed to supply road base for the CESF.”

Data Request 7 asks Carrizo to “address how many concrete trucks will be needed to pour 70,000 cy of concrete and what route they will use since all concrete will come from either Santa Margarita or Paso Robles.”

Data Request 9 asks Carrizo to “explain how many fuel tanker trucks will be needed to supply the CESF with gasoline and diesel fuel and what route they will be traveling during construction and operation.”

Data Request 10 asks Carrizo to “describe how many weekly trips and what route the sanitation company will make to service the CESF on-site outhouses.”

Data Request 15 asks Carrizo to “explain how many hazmat trucks will be used to truck hazardous material to and from the CESF and what routes they will travel during construction and operation.”

Data Requests 6, 7, 9, 10, and 15 are all concerned with the amount of trucks that will be

required to serve the Project, and what routes those trucks will use. In addition, Mr. Strobridge expresses doubt that any of these truck trips have been added into the Traffic Mitigation Plan.

Carrizo responds that all of these truck trips have been included in the Project's analysis, and they have also been added into the Traffic Mitigation Plan. Both the AFC and the Traffic Mitigation Plan include a table showing the average and peak construction trip estimates for the categories of workers (buses), equipment deliveries, construction trucks, and onsite manufacturing. (AFC Supplement at 2.11-2 [Table 2.11-1]; Traffic Mitigation Plan at 1-2 [Table 1].) This table is broken down into ingoing and outgoing trips for both AM and PM peak hour trips as well. (*Id.*) All of the truck trips described in Data Requests 6, 7, 9, 10, and 15 are included under these categories.

Furthermore, the Traffic Mitigation Plan indicates the routes that will be traveled by normal load trucks, permit load trucks, and buses serving the Project site. (*See* Traffic Mitigation Plan, Sheet 2 [Traffic Haul Route Plan].) In its Response to Comments from the August 5, 2008 Commission Workshop, Carrizo provided further information regarding these peak and daily construction traffic figures, and the routes the trucks will use. (*See* Applicant's Responses to Comments from the CEC Workshop Held on August 5, 2008, Attachment 2.)

As noted in Carrizo's response to Mr. Strobridge's March 8, 2009 Data Requests (Set 3), Carrizo provided more specific analysis of the truck trips required to deliver cement and aggregate for the onsite manufacturing facility, as part of the supplement to the AFC. This supplement provides that approximately 900 cubic yards of concrete will be required to create the onsite manufacturing building flooring. (AFC Supplement § 1.4.7.1.) This will require approximately 115 round trips total to transport the raw materials for the onsite manufacturing facility to the Project area. (*Id.*)

G. Response to Data Request 8

Data Request 8 asks Carrizo to "explain how many water trucks will travel on highway 58 and if they have been added into the Traffic Mitigation Plan."

As indicated in Carrizo's response to Michael Strobridge's Data Request 6 from his third set of data requests, all of the untreated raw water for the Project will be drawn from the existing

well on the Project site. (Carrizo Hydrology Report § 1.1.) Trucking of water to the Project site would only occur in the event of interruptions to the onsite water supply. (Carrizo Hydrology Report at 1-4.) During such an event, three tanker trucks per day would be sufficient to sustain Project operations. (*Id.*) The only water that Carrizo plans to bring in from offsite is potable water for consumption. (*See* Carrizo Hydrology Report, Appendix A.) Truck trips, including trips for potable water, have been included in the Traffic Mitigation Plan. (*See* Traffic Mitigation Plan, Table 1.) These trips would follow the proposed construction routes identified in the Traffic Mitigation Plan. (*See* Traffic Mitigation Plan, Sheet 2 – Traffic Haul Route Plan.)

H. Objections to Data Request 11

Data Request 11 asks: “Since truck traffic will be trucked from 9:00am-4:00pm what mitigation measures will be implemented at Carrisa Plains Elementary since trucks will be passing as close as 75ft from the classrooms during school hours?”

Data Request 11 Is Not a Proper Data Request Because It Is Not a Request for Data.

As discussed above in Carrizo’s response to Data Request 3, the purpose of a data request is to give access to data which is reasonably available to the applicant. Like Mr. Strobridge’s Data Request 3 (discussed above), Data Request 11 does not request information. Instead, it requests Carrizo to develop a program to address an impact assumed to exist by Mr. Strobridge. There is no indication that trucks serving the Project will have any impact on classes at Carrisa Plains School. Staff analyzed the impact of the Project’s construction noise at Carrisa Plains School, and concluded that this impact would be less than significant. (PSA at 4.6-15.) Carrizo is not required to speculate as to potential mitigation measures to address an impact that has not been shown to be significant. Data Request 11 is not a request for data, and therefore it is not an appropriate data request.

I. Objections to Data Request 12

Data Request 12 asks: “How will [Carrizo] mitigate the class 3 bike route on highway 58?”

Data Request 18 Is Not a Proper Data Request Because It Is Not a Request for Data.

Like Data Requests 3 and 11 (discussed above), Data Request 12 is not a proper data request because it does not ask for specific information. Instead, it asks Carrizo to speculate as to possible measures to mitigate an impact that will already be mitigated as the Project is currently planned. (PSA at 4.10-21 and 4.10-22.) This inquiry is not a request for data, and therefore it is not an appropriate data request.

J. Response to Data Request 13

Data Request 13 asks Carrizo to “explain ‘Time Critical Loads.’” Mr. Strobridge is concerned that “all truck traffic could potentially be classified as ‘Time Critical.’”

The term “time critical loads” was used by the Project to define wet concrete transportation loads. To reduce the amount of construction truck trips, Carrizo eliminated time critical loads associated with wet concrete transportation. Instead, dry concrete will be transported to the Project site and hydrated onsite. No other “time critical loads” are anticipated.

K. Response to Data Request 14

Data Request 14 asks Carrizo to “explain how CESF truck, employee and bus traffic will affect the ability for emergency responders to respond to a medical emergency in an adequate amount of time.” Mr. Strobridge is concerned that emergency vehicles will not be able to pass the larger trucks serving the Project.

Carrizo has coordinated with local emergency responders, including California Highway Patrol, and has verified that the traffic serving the Project will not affect the LOS for emergency responders, including road access. Carrizo must comply with California Vehicle Code Regulations and the California Department of Motor Vehicles Laws and Rules of the Road, including giving emergency vehicles the right of way. In addition, pilot cars associated with heavy haul trips would be equipped with radios and would be notified of potential emergency situations requiring emergency vehicles to access the Carrizo Plain. Carrizo anticipates advance radio communication would provide adequate time for such loads to either reach the Project site or a location where emergency responders could pass without obstruction.

L. Response to Data Request 16

Data Request 16 asks Carrizo to “explain if the CESF construction will close SR58 for a full day or more at any time during construction..” Mr. Strobridge claims that “SR58 is the only route for commuters or emergency responders,” and that “the closing of SR58 would be a strain on local residents even for one day.”

Carrizo responds that it does not anticipate that the Project’s construction will close SR-58 for a full day or more at any time during construction or operation.

M. Response to Data Request 17

Data Request 17 provides a paragraph of information compiled by Mr. Strobridge regarding school busing in the Carrisa Plains, and it asks Carrizo to “revise school bus information.” Mr. Strobridge is concerned that potential traffic delays would affect many students who use the bus system.

Carrizo responds that, as indicated in the Traffic Mitigation Plan, Carrizo has modified construction and operational truck traffic hours to minimize school-related pedestrian and roadway impacts. (*See* Traffic Mitigation Plan § 1.7.) These hours have been, and will continue to be, developed around school busing schedules. (*Id.*)

N. Objections to Data Request 18

Data Request 18 asks Carrizo to “inform all local residents on the CESF truck route of potential traffic delays.” Mr. Strobridge indicates that this would include residents of Atascadero, Santa Margarita, Garden Farms, Carrisa Plains, Creston, and Shandon.

Data Request 18 Is Not a Proper Data Request Because It Is Not a Request for Data.

Like Data Requests 3, 11, and 12, Data Request 18 does not ask for information. Instead, it asks Carrizo to implement a program of public notice regarding potential traffic delays. Because Data Request 18 does not ask for information, it is not a proper data request.

Nevertheless, Carrizo appreciates Mr. Strobridge’s suggestion regarding providing notice

of potential traffic delays, and will take it into consideration as the Project's traffic mitigation measures become finalized.

O. Response to Data Request 19

Data Request 19 asks: "Explain what part of SR58 cannot be traveled between 4:01pm and 8:59am. Can trucks not be on SR58 at all during this span of time? URS's explanation is unclear."

The Traffic Mitigation Plan does not prohibit Project-related use of SR-58 from 4:01 pm to 8:59 am. Per the Traffic Mitigation Plan, heavy haul vehicles would travel along SR-58 during off peak hours (i.e., between 9:00 a.m. and 4:00 p.m.).

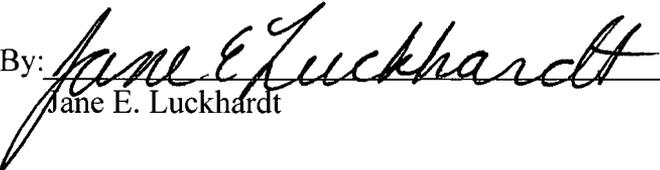
P. Response to Data Request 20

Data Request 20 asks Carrizo to "explain how CESF construction and operational traffic will affect the Creston Elementary bus route."

As indicated in the Traffic Mitigation Plan, Carrizo will modify the planning and execution of Project construction and operational activities to minimize conflicts with school-related travel activities. (Traffic Mitigation Plan § 1.7.) From the start, the Project has planned to develop its trucking schedule around local school bus schedules. As described in the objection to Data Request 3, above, the mitigation measures developed under the Traffic Mitigation Plan will ensure that impacts to all local schools will be less than significant. The Project's construction and operational traffic will therefore not significantly affect the Creston Elementary bus route.

DATED: April 6, 2009

DOWNEY BRAND LLP

By: 
Jane E. Luckhardt

Declaration of Service

I, Shawn Prentiss, declare that on April 6, 2009, I served and filed copies of the attached **And Carrizo Energy, LLC's Objections To Michael Strobridge's March 16, 2009 Data Requests (Set 4)**. 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: www.energy.ca.gov/sitingcases/carrizo/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 e-mailed respectively, to the address below (preferred method);

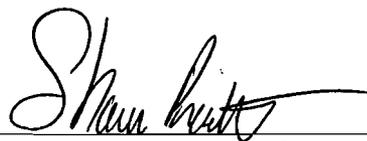
OR

_____ depositing in the mail an original and 12 paper copies as follow:

California Energy Commission
Attn: Docket No. 07-AFC-8
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.



Shawn Prentiss

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION FOR
THE CARRIZO ENERGY SOLAR FARM BY
CARRIZO ENERGY, LLC**

DOCKET NO. 07-AFC-8

**PROOF OF SERVICE
(Revised 2/18/2009)**

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