

"In reference to "Final 2009 IEPR" docket number 09-IEP-1A, I wish to applaud your consideration of the issues surrounding MSW as an RPS-eligible fuel for conversion technologies. I believe the changes you've made to the IEPR text in this regard are constructive and will encourage the CEC and its staff to review carefully the eligibility of any energy conversion technologies that use MSW to produce a clean burning fuel. Your new language emphasizes a review based upon performance rather than type of technology. As you've mentioned in the draft, unfortunately, the state law relating to the RPS focuses upon specific requirements relating to technology that must be considered when determining RPS eligibility and narrowly defines which MSW conversion technologies are allowed.

Your language strikes a good balance between allowing emerging MSW conversion technologies to be considered for eligibility and maintaining California's air quality requirements. As your recent Distributed Energy Resource Assessment indicates, the technical potential of MSW conversion technologies to deliver cost-effective clean power is promising. As a result, your close attention to such emerging technologies is needed, but your recommendations for modification to the applicable state statutes should be based upon the performance of the technologies rather than specific types of technologies, as you have emphasized."

Regards,

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