

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:) DOCKET # 07-AFC-6
APPLICATION FOR CERTIFICATION)
CARLSBAD ENERGY CENTER PROJECT)
(CECP))

June 28, 2012

Intervenor Power of Vision

Petition for Reconsideration

Julie Baker
Arnold Roe, PhD
Power of Vision
4213 Sunnyhill Dr
Carlsbad, CA 92008
Tel: 760.729.4068
julbaker@pacbell.net
roe@ucla.edu

Power of Vision respectfully asked the California Energy Commission to reconsider their order of May 31, 2012 approving the Carlsbad Energy Center Project. The basis for our request is found in section 25530 of the Warren-Alquist Act that states, in part, “The Commission may order a reconsideration of all or part of a decision or order on its own motion or on petition of any party.” (Pub. Resources Code § 25530).

Fire Safety.

When the Commission appropriated the role of “Fire Official” for the CECP it did not assign the responsibility to another entity. Are we to assume, in Carlsbad, that the CEC will provide emergency response in the event of an accident? Until the Commission can determine who will respond, they should reconsider their decision to protect the lives and property of adjacent residents.

On behalf of Carlsbad residents, POV was disappointed the Commission gave final approval to the problem-plagued CECP. Several outstanding issues of grave importance to residents were glossed over by Commissioners with remarks such as, “no one wants a power plant in their community” when the records shows the City was open to relocating a power plant to another location outside the coastal zone. The Commission had an opportunity to remove power generation from the coastline of California for generations to come, yet relied on hackneyed arguments for continuing the abuse of the coast.



Julie Baker

Arnold Roe, PhD

DECLARATION OF SERVICE

I, Julie Baker, declare that on June 28, 2012, I served and filed a copy of the attached Power of Vision Petition for Reconsideration. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:

www.energy.ca.gov/sitingcases/carlsbad/index.html.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply) For service to all other parties:

X Served electronically to all e-mail addresses on the Proof of Service list;

Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked "hard copy required."

AND

For filing with the Docket Unit at the Energy Commission:

X by sending an original paper copy and one electronic copy, mailed with the U.S. Postal Service with first class postage thereon fully prepaid and e-mailed respectively, to the address below (preferred method);

by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, 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

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, 1720:

Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following Address, either personally, or for mailing with the US Postal Service with first class postage thereon fully prepaid:

**California Energy Commission
Michael J Levy,
1516 Ninth Street, MS-14
Sacramento, CA 95814
mlevy@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



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 3/27/2012)

APPLICANT

Jennifer Hein
George Piantka, PE.
NRG Energy, Inc., West Region
5790 Fleet Street, Ste. 200
Carlsbad, CA 92008
jennifer.hein@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
Joe.Garuba@carlsbadca.gov
ron.ball@carlsbadca.gov

California Unions for Reliable Energy
(CURE)
Marc D. Joseph
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
gsmith@adamsbroadwell.com
mdjoseph@adamsbroadwell.com

Center for Biological Diversity
c/o William B. Rostov
EARTH JUSTICE
426 17th Street, 5th Floor
Oakland, CA 94612
wrostov@earthjustice.org

Power of Vision
Julie Baker & Arnold Roe, Ph.D.
4213 Sunnyhill Drive
Carlsbad, California 92013
julbaker@pacbell.net
roe@ucla.edu

Rob Simpson
Environmental Consultant
27126 Grandview Avenue
Hayward, CA 94542
rob@redwoodrob.com

April Rose Sommer
Attorney for Rob Simpson
P.O. Box 6937
Moraga, CA 94570
aprilsommerlaw@yahoo.com

**ENERGY COMMISSION –
DECISIONMAKERS**

KAREN DOUGLAS
Commissioner and Associate Member
kidougl@energy.state.ca.us

Galen Lemel
Adviser to Commissioner Douglas
glemel@energy.state.ca.us

Tim Olson
Adviser to Commissioner Douglas
tolson@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

ENERGY COMMISSION STAFF

Mike Monasmi
Siting Project Manager
mmonasmi@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

**ENERGY COMMISSION – PUBLIC
ADVISER**

Jennifer Jennings
Public Adviser's Office
publicadviser@energy.state.ca.us

*Indicates change