



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

IN THE MATTER OF COMPLAINT AGAINST
ORMAT NEVADA, INC. *BROUGHT BY*
CALIFORNIA UNIONS FOR RELIABLE ENERGY

Docket No. 11-CAI-02

**COMMITTEE ORDER GRANTING PETITION TO INTERVENE
AND FURTHER ORDER**

Upon consideration of the Petition to Intervene filed by Petitioner, Imperial County, the Committee designated to conduct proceedings in this matter makes the following findings:

On September 2, 2011, a Petition to Intervene was filed in the above-captioned proceeding and on September 6, 2011, an amendment to the Petition to Intervene and errata to the addendum was filed by:

ARMANDO VILLA, Planning Director
Imperial County Planning and Development Services
801 Main Street
El Centro, CA 92243-2811
(760) 482-4236
armandovilla@co.imperial.ca.us

Petitioner is represented by:

HOWARD F. WILKINS
Remy, Thomas, Moose & Manley, LLP
455 Capitol Mall, Suite 210
Sacramento, CA 95814
(916) 443-2745
hwilkins@rtmmlaw.com

1. The Petition and related amendment were timely filed and contained the information required by section 1207 of the Commission's regulations (Cal. Code Regs., tit. 20, § 1207);
2. No party or other person has filed an opposition to said Petition; and
3. Petitioner's interests are relevant to the above-captioned proceeding.

THEREFORE, the Committee **ORDERS** that the Petition to Intervene in this matter be **GRANTED** and that Petitioner be placed upon the Proof of Service List as an Intervenor. Petitioner may exercise the rights and shall fulfill the obligations of a party as set forth in section 1712 of the Commission's regulations. (Cal. Code Regs., tit. 20, § 1712.) The deadlines set in the August 18, 2011 Notice of Prehearing Conference and Evidentiary Hearing shall not be extended by the granting of the Petition.

The Energy Commission welcomes and values Intervenor participation in its energy facility siting process. A link to the Commission's regulations is posted on the Energy Commission website page at <http://www.energy.ca.gov/siting/title20/>. As an Intervenor, Petitioner is required to file and serve documents on other parties and to follow the Commission's procedures and orders regarding presenting witnesses and evidence.

Petitioner is further required to review the rules regarding filings, the rules of evidence that apply at the evidentiary hearings and the rules prohibiting off the record contacts with Commissioners or the Hearing Adviser about the merits of a project. (Cal. Code Regs., tit. 20, §§ 1001 through 1217, 1712 et seq.)

Petitioner may obtain help with participating in the siting process from the Energy Commission's Public Adviser's Office at (916) 654-4489 or (800) 822-6228, or e-mail: [\[publicadviser@energy.state.ca.us\]](mailto:publicadviser@energy.state.ca.us).

The Executive Director or her designee shall ensure that Petitioner is immediately provided with a copy of the pleadings in this action

Dated: September 12, 2011 at Sacramento, California.



KAREN DOUGLAS
Commissioner and Presiding Member
CURE v. ORMAT Committee



ROBERT B. WEISENMILLER
Chair and Associate Member
CURE v. ORMAT Committee



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COMMISSION OF THE STATE OF CALIFORNIA
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***IN THE MATTER OF COMPLAINT AGAINST
ORMAT NEVADA, INC. BROUGHT BY
CALIFORNIA UNIONS FOR RELIABLE ENERGY***

**Docket No. 11-CAI-02
(Revised 9/12/11)**

RESPONDENT

Ormat Nevada, Inc.
6225 Neil Road
Reno, NV 89511

COUNSEL FOR RESPONDENT

Christopher T. Ellison
Samantha Pottenger
Ellison, Schneider and Harris, LLP
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816
cte@eslawfirm.com
sgp@eslawfirm.com

COMPLAINANT

California Unions for Reliable Energy
c/o Adams Broadwell Joseph
& Cardozo
Marc D. Joseph
Tanya A. Gulesserian
Elizabeth Klebaner
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
mdjoseph@adamsbroadwell.com
tgulesserian@adamsbroadwell.com
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INTERVENORS

*Imperial County Planning and
Development Services
Armando Villa,
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801 Main Street
El Centro, CA 92243-2811
armandovilla@co.imperial.ca.us

*Remy, Thomas, Moose &
Manley, LLP
Howard F. Wilkins
455 Capitol Mall, Suite 210
Sacramento, CA 95814
hwilkins@rtmmlaw.com

**INTERESTED
AGENCIES/ENTITIES/PERSONS**

Imperial County Planning and
Development Services
801 Main Street
El Centro, CA 92243

Imperial County Air Pollution
Control District
150 South 9th Street
El Centro, CA 92243-2801

Imperial Irrigation District
333 E. Barioni Boulevard
Imperial, CA 92251

**ENERGY COMMISSION
DECISIONMAKERS**

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rweisenm@energy.state.ca.us

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PUBLIC ADVISER**

Jennifer Jennings
Public Adviser
e-mail service preferred
[*publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

*indicates change

DECLARATION OF SERVICE

I, RoseMary Avalos, declare that on, September 12, 2011, I served and filed copies of the attached COMMITTEE ORDER GRANTING PETITION TO INTERVENE AND FURTHER ORDER, dated September 12, 2011. The original document, filed with the Docket Unit or the Chief Counsel, as required by the applicable regulation, 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/proceedings/11-cai-02/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:

- 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 NOT marked "email service preferred."

AND

For filing with the Docket Unit at the Energy Commission:

- 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);

OR

- 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 – DOCKET UNIT
Attn: Docket No. 11-CAI-02
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 U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
mlevy@energy.state.ca.us

I declare under penalty of perjury under the laws of the State of California 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.

Original Signed By: _____
RoseMary Avalos
Hearing Advisers Office

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



TO: *All Parties*

Date: September 12, 2011

**RE: IN THE MATTER OF THE COMPLAINT
AGAINST ORMAT NEVADA INC.
BROUGHT BY CALIFORNIA UNIONS
FOR RELIABLE ENERGY**

*Proof of Service List
Docket No. (11-CAI-02)*

Attached is the **newly revised** Proof of Service List for the above-mentioned project, current as of September 12, 2011. Please pay particular attention to the **new** filing instructions.

Energy Commission regulations (Cal. Code Regs., tit. 20, § 1210) require, in addition to any electronic service, that a paper copy be served in person or by first class mail except where a party requests to receive an electronic copy when one is available. Individuals and groups on the Proof of Service list who prefer to receive filings by e-mail and do not require a paper copy shall inform the Hearing Officer assigned to the proceeding.

The Proof of Service list for this matter will delineate those individuals and groups and it is sufficient to serve those individuals with an e-mailed copy only. Those not so delineated must be served with a paper copy in addition to any e-mailed copy that the filing party chooses to provide. Signatures may be indicated on the electronic copy by "**Original Signed By**" or similar words. The original signed copy shall be filed with the Energy Commission's Dockets Unit.

Unless otherwise specified in a regulation, all materials filed with the Commission must also be filed with the Docket Unit. (Cal. Code Regs., tit. 20, § 1209(d).) Some regulations require filing with the Commission's Chief Counsel instead of the Docket Unit. For example, Section 1720 requires a petition for reconsideration to be filed with the Chief Counsel and served on the parties. Service on the attorney representing Commission staff does not satisfy this requirement. This Proof of Service form is not appropriate for use when filing a document with the Chief Counsel under Title 20, sections 1231 (Complaint and Request for Investigation) or 2506 (Petition for

Inspection or Copying of Confidential Records). The Public Advisor can answer any questions related to filing under these sections.

New addition(s) to the Proof of Service are indicated in **bold font** and marked with an asterisk (*). Additionally, if two or more persons are listed on a Proof of Service List with a single address, only one physical copy of a document need be mailed to the address.

Use this newly revised list for all future filings and submittals. This Proof of Service List will also be available on the Commission's Project Web Site at:

[\[http://www.energy.ca.gov/proceedings/11-cai-02/index.html\]](http://www.energy.ca.gov/proceedings/11-cai-02/index.html).

Please review the information and contact me at mread@energy.state.ca.us, or (916) 654-3893, if you would like to be removed from the Proof of Service or if there are any changes to your contact information.

Original Signed By:
RoseMary Avalos
Hearing Adviser's Office

Attachment