

State of California
Energy Resources Conservation and
Development Commission

DOCKET 07-AFC-6
DATE 8-5-11
RECD. 8-8-11

In the Matter of:)
The Application for Certification of the)
Carlsbad Energy Center Project)
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)
)
_____)

Docket No.
07-AFC-6

Joint Motion of Terramar and Power of Vision Requesting a Committee Order
Regarding Service of Paper Copies of Submissions

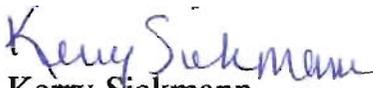
We, Kerry Siekmann and Julie Baker, representatives of interveners Terramar and Power of Vision were informed on July 25, 2011 by Hearing Officer Paul Kramer that we must send a paper copy of our submissions in the Carlsbad case to every individual or organization listed on the Carlsbad proof of service list, unless "e-mail preferred" is noted. By this motion, we are requesting an order from the presiding member exempting our organizations from the paper copy service requirement.

Requiring citizen interveners to serve paper copies on the other parties poses an unreasonable burden. There are eighteen individuals and organizations on the proof of service for the Carlsbad Energy Project. Only three are designated e-mail preferred.¹ Thus, for every filing we would be required to make fourteen copies, address fourteen envelopes and pay for the related postage. We do not have equipment, staff or money to assist us in this activity. Requiring paper copies only adds to the already significant burden on us as we participate in the Commission's complex proceedings.

We have been submitting documents via only e-mail to all other parties since Terramar was granted intervener status on January 7, 2009 and Power of Vision was granted intervener status on November 12, 2008. Until the recent notification by Hearing Officer Kramer, we were unaware that a paper copy was required to be served to non-email preferred individuals and organizations on the proof of service list. (We have always sent Dockets both a paper and an e-mail copy.) During our years-long period as interveners, with countless filings, no one on the proof of service list requested a paper copy of our submissions or pointed out the "defect" in our service.

Abruptly requiring us to submit paper copies of our filings is unreasonable given our small size and is unnecessary as shown by the lack of objection to our failure to do so thus far. Therefore, we request that Presiding Member Commissioner Boyd, under the authority granted him by Title 20, California Code of Regulations, Section 1210, issue an order exempting Terramar and Power of Vision from the requirement of serving paper copies on other parties.

Date: August 5, 2011



Kerry Siekmann
Terramar



Julie Baker
Power of Vision

¹Intervenors would further note that the "e-mail preferred" designation is an unfortunate "all or nothing" situation. In other words, many parties may not be "e-mail preferred" in all situations but simply want hard copies or discs of very large documents, and would be satisfied with only e-mail for smaller documents.



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 8/1/2011)

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DECLARATION OF SERVICE

I, Julie Baker, declare that on Friday, August 5, 2011, I served and filed copies of the attached Joint Motion from Power of Vision and Terramar, dated Friday, August 5, 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: [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:

- XX** Served electronically to all email addresses on the Proof of Service list;
- XX** 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 preferred."

AND

For filing with the Docket Unit at the Energy Commission:

- XX** 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 emailed 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. 08-AFC-11
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 email, 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.

*indicates change

