



# CITY OF COMMERCE

*Joe Aguilar*  
Mayor

*Tina Baca Del Rio*  
Mayor Pro Tem

*Hugo A. Argumedo*  
Councilmember

*Robert C. Fierro*  
Councilmember

*Lilla R. Leon*  
Councilmember

August 26, 2009

James D. Boyd  
Vice Chairman  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

**DOCKET**  
**06-AFC-4**

DATE AUG 26 2009

RECD. AUG 26 2009

Re: *Southeast Region Energy Project: Docket Number: (06-AFC-4)*

Dear Vice Chairman Boyd,

On behalf of the Commerce City Council, I write to respectfully request that you support your staff's motion to terminate the proceeding on the Southeast Regional Energy Center (SREC) Application for Certification (AFC). As conveyed by your staff (Docket No. 06-AFC-4, Staff's Motion to Terminate), the City of Vernon has failed to pursue an application with due diligence. As a result, the project as proposed cannot obtain legally required air emission offsets. The lack of these offsets has resulted in the South Coast Air Quality Management District's (SCAQMD) denial of Vernon's application for a Title V Permit to construct the proposed project.

In addition, due to the likelihood of outdated studies provided in the existing application, and the need for CEC staff to reevaluate sections of the application, we strongly urge the Committee not provide any means of postponement of the application. The file should be closed. Should another Vernon proposal materialize then it should be considered as a new application.

Once again, we respectfully ask that you terminate the CEC application. If you should have any questions, please do not hesitate to contact me directly at (323) 722-4805, at extension 2258.

Sincerely,

Joe Aguilar  
Mayor  
City of Commerce

cc: Senator Ron Calderon  
Assembly Member Hector De La Torre  
Assembly Member John Perez  
Julia Levin, CEC Commissioner  
Gary Fay, CEC Hearing Officer  
Mike Monasmith, CEC Project Manager  
Jared Babula, CEC Staff Attorney

PROOF OF SERVICE (REVISED 04/24/09 ) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 08/26/09

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# CITY OF COMMERCE

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*Joe Aguilar*  
Mayor

*Tina Baca Del Rio*  
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Councilmember

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Councilmember

*Lilia R. Leon*  
Councilmember

August 26, 2009

Julia Levin  
Commissioner  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Re: *Southeast Region Energy Project: Docket Number: (06-AFC-4)*

Dear Commissioner Levin,

On behalf of the Commerce City Council, I write to respectfully request that you support your staff's motion to terminate the proceeding on the Southeast Regional Energy Center (SREC) Application for Certification (AFC). As conveyed by your staff (Docket No. 06-AFC-4, Staff's Motion to Terminate), the City of Vernon has failed to pursue an application with due diligence. As a result, the project as proposed cannot obtain legally required air emission offsets. The lack of these offsets has resulted in the South Coast Air Quality Management District's (SCAQMD) denial of Vernon's application for a Title V Permit to construct the proposed project.

In addition, due to the likelihood of outdated studies provided in the existing application, and the need for CEC staff to reevaluate sections of the application, we strongly urge the Committee not provide any means of postponement of the application. The file should be closed. Should another Vernon proposal materialize then it should be considered as a new application.

Once again, we respectfully ask that you terminate the CEC application. If you should have any questions, please do not hesitate to contact me directly at (323) 722-4805, at extension 2258.

Sincerely,

Joe Aguilar  
Mayor

City of Commerce

cc: Senator Ron Calderon  
Assembly Member Hector De La Torre  
Assembly Member John Perez  
James D. Boyd, CEC Vice Chairman  
Gary Fay, CEC Hearing Officer  
Mike Monasmith, CEC Project Manager  
Jared Babula, CEC Staff Attorney



**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 SOUTH EAST REGIONAL ENERGY  
CENTER (FORMERLY CITY OF VERNON)**

**DOCKET NO. 06-AFC-4**

**PROOF OF SERVICE LIST  
(REVISED 4/24/09)**

**APPLICANT**

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**ENERGY COMMISSION**

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[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, April Albright, declare that on August 26, 2009, I served and filed copies of the attached City of Commerce's Letter in Support of Energy Commission Staff's Motion to Terminate Proceeding, dated August 26, 2009. 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/cityofvernon](http://www.energy.ca.gov/sitingcases/cityofvernon)]**. 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 emailed respectively, to the address below (preferred method);

**OR**

- depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 06-AFC-4  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct.

Original signed by \_\_\_\_\_  
**April Albright**