

EMERALD FARMS

DOCKET 06-AFC-9	
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May 17, 2007

Commissioner John L. Geesman, Presiding Member
California Energy Commission
1516 Ninth Street
Sacramento, California 95814-5512

Dear Commissioner John L. Geesman,

**SUBJECT: COLUSA GENERATING STATION (06-AFC-9) – PETITION FOR
PUBLIC NOTICE OF WESTERN AREA POWER ASSOCIATION
PARTICIPATION IN THIS SITING PROCEEDING**

Emerald Farms requests an immediate halt to the proceedings because the California Energy Commission (CEC) staff has sent data requests concerning project information relating to Western Area Project Administration (WAPA) concerns that have not been sent to the service list. The last communication addressing these concerns that Emerald Farms can find is the January 19, 2007, CEC staff issue identification report that says that there is no need for additional transmission line modifications:

“The CGS site is located adjacent to PG&E’s Cottonwood to Vaca-Dixon transmission corridor, which includes four 230 kV high voltage transmission circuits. The CGS would interconnect to these circuits by looping the four north-south 230 kV cottonwood to Vaca-Dixon lines into the new CGS switchyard. The CGS project partially contributes to overloads on the Western Area Power Administration, Sacramento Municipal Utility District and City of Roseville transmission systems. The CGS project continues to communicate with the agencies about their potential need to participate in downstream upgrades and related projects. However, Initial load flow studies indicate that no system upgrades will be required to other transmission systems.”

California Code of Regulations Title 20, Section 1718¹ explains that complaints concerning conduct of the meetings are to be sent to the Presiding Member.

Now, it is evident that meetings have been held with applicant, CEC staff, and other governmental agency officials without notice to the service list. In addition the service list has been modified to include WAPA, without notification to the service list. All these meetings and discussions were held without notice to Emerald Farms. Therefore, all the proceedings have to be done again and include Emerald Farms.

Intervener Emerald Farms requests notice of meetings concerning the subject proceeding. We made this same request on March 30, 2007, because local APCD employees informed us that meetings had been held between CEC staff, applicant, and local agencies discussing this project, but Emerald Farms wasn't notified of the meetings

¹ (a) At any time after a notice or application is filed, the staff may initiate informal, voluntary meetings with the applicant, other parties, interested agencies, or the public on matters relevant to the notice or application. Such meetings may include workshops, site visits, or other information exchanges.

(b) All meetings shall be noticed pursuant to Section 1710 of these regulations and shall be open to the public. The notice shall list the topics and purposes of the meetings. Where such meetings are intended to discuss social, economic, or other impacts on communities surrounding a proposed site, they shall, to the extent feasible, be held in or near the communities affected.

(c) Meetings initiated by staff may be held for any of the following purposes:

(1) To allow parties to solicit and exchange information relevant to the notice or application; (2) To allow parties to identify areas of factual and legal agreement; (3) To allow parties to identify areas of disagreement, to refine issues, and to develop the positions and contentions of the parties; or (4) To allow members of the public to recommend areas of inquiry to the parties, to identify issues, and to ask questions of the applicant, staff and parties concerning each siting proposal, the commission's siting procedures, and possible positions of the parties.

(d) The public adviser, and in the adviser's absence, the staff counsel, shall ensure that all persons are provided a reasonable opportunity to participate in the discussions at each meeting.

(e) The presiding member may require the parties to report periodically on the scope, purpose, and progress of such meetings. Any person dissatisfied with the manner in which such meetings are being conducted may petition the presiding member to take remedial action.

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or been invited to them. We also did not receive the documents due on March 23, 2007, listed on the CEC website: http://www.energy.ca.gov/sitingcases/colusa/notices/2007-02-01_SCHEDULING_ORDER.PDF until weeks after they were complete.

Now Emerald Farms is being kept from the knowledge of the WAPA concern over the 06-AFC-9 project.

The next milestone is Status Report #2 due on May 30, 2007. Emerald Farms has no status to report because we have not been included in the process. We expected that notices of all meetings and discussions would have been sent to the service list but we have received nothing.

The proposed power plant site is so close to Emerald Farms that air emissions and land use changes could significantly affect the sensitive crops being farmed. There is no assurance that Emerald Farms' needs are being addressed by the meeting participants so Emerald Farms requests notice of all future meetings and documentation of the subject matter of all meetings that have already taken place. This documentation should include meeting dates, list of participants, copies of written and electronic materials distributed in relation to the meetings, and meeting minutes.

The Committee Schedule for the Colusa Generating Station should be reissued after holding a hearing with all parties including Emerald Farms.

Sincerely,



Allen Etchepare