DOCKET
06-AFC-6
DATE FEB 01 2008
RECD. FEB 01 2008

LIEBERT CASSIDY WHITMORE
A PROFESSIONAL LAW CORPORATION
LOS ANGELES | FRESNO | SAN FRANCISCO

153 TOWNSEND STREET, SUITE 520
SAN FRANCISCO, CALIFORNIA 94107
T: (415) 512-3000 F: (415) 856-0306

AKACHALIA@LCWLEGAL.COM
(415) 512-3045

February 1, 2008

VIA E-MAIL DOCKET@ENERGY.STATE.CA.US AND SGEFTER@ENERGY.STATE.CA.US

Susan Gefter
Hearing Officer
California Energy Commission
Attn: Docket No. 06-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

Re: *Chabot-Las Positas Community College District's Draft Distances and Directions for Stipulation*
Client-Matter: CH030-032

Dear Ms. Gefter:

On behalf of intervenor Chabot-Las Positas Community College District, I am hereby proposing and filing the following distances for consideration. Applicant provided the parties with a list of proposed distances on late Friday, January 25, 2008. It is my understanding that, on January 31, 2008, counsel for applicant Eastshore Energy Center has asked the parties to file their distance estimates separately. Please find below the District's proposed list of distances:

A. Size of the Chabot College campus and its bordering streets

Size of campus: 88.5 to 94 acres.

Bordering streets: Hesperian Blvd and Depot Road.

B. What is the Chabot College campus "center"?

Grand Court

While you requested to know the "center," we wish to point out that there is a large student parking lot to the west/southwest of the Grand Court, where a great number of students park on a daily basis.

C. Distance of Eastshore Energy Center from Chabot College campus center

Distance from Eastshore Energy Center to Chabot College's Grand Court: 4300 feet or .81 mile

Distance from Eastshore Energy Center to Chabot College's southwestern student parking lot: 3500 feet or .66 mile

D. Distance of Russell City Energy Center from Chabot College campus center

Distance of Russell City Energy Center from Chabot College's Grand Court: 7800 feet or 1.48 miles

Distance of Russell City Energy Center from Chabot College's southwestern parking lot: 7000 ft or 1.33 miles

E. Location of Chabot College campus center relative to i. Russell City Energy Center and ii. Eastshore Energy Center. Indicate the direction (north, south, east, west)

- Chabot College's "center" is Northeast of Russell City Energy Center

- Chabot's College's "center" is Northeast of Eastshore Energy Center; Eastshore sits in between Chabot College and Russell City. Russell City is to the west of Eastshore which is to the west of Chabot College.

While the District objects to the Commission staff's proposed "chart" of distances, filed on or about January 30, 2008, the District does not have any objections to the Commission staff's "map diagram" of distances for the following:

1. Distance measured from the Eastshore site boundary to the closest point of the Chabot College campus boundary: 2,826 feet per CEC staff's diagram.

2. Distance measured from the RCEC site to the center courtyard/quad of Chabot College: 6,762 feet per CEC staff's diagram.

Should you have any questions or concerns, please feel free to contact me.

Sincerely,

LIEBERT CASSIDY WHITMORE

Arlin B. Kachalia

Arlin B. Kachalia

cc: Eastshore POS

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE EASTSHORE ENERGY CENTER IN CITY OF HAYWARD BY TIERRA ENERGY	**Docket No. 06-AFC-6** **PROOF OF SERVICE (Revised 1/18/2008)**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 06-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Greg Trewitt, Vice President
Tierra Energy
710 S. Pearl Street, Suite A
Denver, CO 80209
greg.trewitt@tierraenergy.com

APPLICANT'S CONSULTANTS

David A. Stein, PE
Vice President
CH2M HILL
155 Grand Avenue, Suite 1000
Oakland, CA 94612
dstein@ch2m.com

Jennifer Scholl
Senior Program Manager
CH2M HILL
610 Anacapa Street, Suite B5
Santa Barbara, CA 93101
jscholl@ch2m.com

Harry Rubin, Executive Vice President
RAMCO Generating Two
1769 Orvietto Drive
Roseville, CA 95661
hmrenergy@msn.com

COUNSEL FOR APPLICANT

Jane Luckhardt, Esq.
Downey Brand Law Firm
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

INTERESTED AGENCIES

Larry Tobias
CA Independent System Operator
151 Blue Ravine Road
Folsom, CA 95630
ltobias@caiso.com

INTERVENORS

Greg Jones, City Manager
Maureen Conneely, City Attorney
City of Hayward
777 B Street
Hayward, California 94541
greg.jones@hayward-ca.gov
michael.sweeney@hayward-ca.gov
maureen.conneely@hayward-ca.gov
david.rizk@hayward-ca.gov

Pillsbury Winthrop Shaw Pittman LLP.
Att: Diana Graves, Esq
Att: Michael Hindus, Esq
50 Fremont Street
San Francisco, CA 94120
diana.graves@pillsburylaw.com
michael.hindus@pillsburylaw.com
ronald.vanbuskirk@pillsburylaw.com

Paul N. Haavik
25087 Eden Avenue
Hayward, CA 94545
lindampaulh@msn.com

James Sorensen, Director
Alameda County Development Agency
Att: Chris Bazar & Cindy Horvath
224 West Winton Ave., Rm 110
Hayward CA 94544
james.sorensen@acgov.org
chris.bazar@acgov.org
cindy.horvath@acgov.org

Charlotte Lofft & Susan Sperling
Chabot College Faculty Association
25555 Hesperian Way
Hayward, CA 94545
clofft@chabotcollege.edu
ssperling@chabotcollege.edu

Law Office of Jewell J. Hargleroad
Jewell J. Hargleroad, Esq
1090 B Street, No. 104
Hayward, CA 94541
jewellhargleroad@mac.com

Jay White, Nancy Van Huffel,
Wulf Bieschke, & Suzanne Barba
San Lorenzo Village Homes Assn.
377 Paseo Grande
San Lorenzo, CA 94580
jwhite747@comcast.net
slzvha@aol.com
wulf@vs-comm.com
suzbarba@comcast.net

Richard Winnie, Esq.
Alameda County Counsel
Att: Andrew Massey, Esq.
1221 Oak Street, Rm 463
Oakland, CA 94612
richard.winnie@acgov.org
andrew.massey@acgov.org

*** Libert Cassidy Whitmore**
Att: Laura Schulkind, Esq.
Att: Arlin B. Kachalia, Esq.
153 Townsend Street, Suite 520
San Francisco, CA 94107
lschulkind@lcwlegal.com
akachalia@lcwlegal.com

Robert Sarvey
501 W. Grantline Rd
Tracy, CA, 95376
Sarveybob@aol.com

ENERGY COMMISSION

Jeffrey D. Byron, Presiding Member
jbyron@energy.state.ca.us

John L. Geesman, Associate Member
jgeesman@energy.state.ca.us

Susan Gefter, Hearing Officer
sgefter@energy.state.ca.us

Bill Pfanner, Project Manager
bpfanner@energy.state.ca.us

Caryn Holmes, Staff Counsel
cholmes@energy.state.ca.us

Public Adviser
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Ervietta McCullough, declare that on February 1, 2008, I deposited copies of the attached CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT'S DRAFT DISTANCES AND DIRECTIONS FOR STIPULATION in the United States mail at Sacramento, CA, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of the California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

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

Ervietta McCullough
ERVIETTA MCCULLOUGH