

Robert Sarvey  
501 W. Grantline Rd.  
Tracy, Ca. 95376

To: Commissioner Jeffrey Byron  
Commissioner Robert Weisenmiller  
Ken Celli Hearing Officer

<b>DOCKET</b>	
<b>09-AFC-3</b>	
DATE	_____
RECD.	DEC 01 2010

State of California  
State Energy Resources Conservation and Development Commission

In the Matter of:	)	Docket # 09-AFC-03
	)	
Mariposa Energy Project	)	
	)	Robert Sarvey Status Report #2
	)	
_____	)	

Pursuant to the Committee Scheduling Order dated October 12, 2010, the following is Robert Sarvey's Status Report #2 for the proposed Mariposa Energy Project (MEP).

Final Staff Assessment

Intervenor is awaiting the Final Staff Assessment. Staff has indicated that there will be revisions to the Staff Assessment and has reported in its December status report that the following sections will be revised in the Final Staff Assessment; air quality, alternatives, biological resources, hazardous materials, land use, noise and vibration, project description, public health, socioeconomics, soil and water resources, traffic and transportation, transmission line safety and nuisance, transmission system engineering and visual resources.<sup>1</sup> The revisions touch almost every section of the PSA. Intervenor is preparing comments on the PSA and will submit them by the due date, December 9 as prescribed by Staff. After reviewing the FSA and the applicant's testimony proposed to be submitted on December 20. Intervenor will begin preparation of testimony for the evidentiary hearings.

<sup>1</sup> Staff's Status Report #11 Page 2

### Mariposa PPA

PG&E has violated the conditions of the settlement agreement that led to the Mariposa PPA's approval. A petition for modification has been filed which seeks to examine the merits and need for the Mariposa Project. The Division of Ratepayer Advocates has supported the Petition for Modification. The CPUC has yet to rule on the petition for modification. PG&E has filed a petition for modification in A. 09-09-021 for approval the Oakley Project which exceeds their authorized need in D. 07-12-052 which could affect the Mariposa PPA. Intervenor will continue to keep the Committee informed of developments at the CPUC which materially affect the proceeding and the schedule.



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](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE **MARIPOSA ENERGY PROJECT**  
(MEP)

**Docket No. 09-AFC-3**

**PROOF OF SERVICE**  
(Revised 2/8/2010)

**APPLICANT**

Bo Buchynsky  
Diamond Generating Corporation  
333 South Grand Avenue, #1570  
Los Angeles, California 90071  
[b.buchynsky@dgc-us.com](mailto:b.buchynsky@dgc-us.com)

**APPLICANT'S CONSULTANTS**

Doug Urry  
2485 Natomas Park Dr #600  
Sacramento, CA 95833-2975  
[Doug.Urry@CH2M.com](mailto:Doug.Urry@CH2M.com)

**COUNSEL FOR APPLICANT**

Gregg Wheatland  
Ellison, Schneider & Harris L.L.P.  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816-5905  
[glw@eslawfirm.com](mailto:glw@eslawfirm.com)

**INTERESTED AGENCIES**

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

Mr. Robert Sarvey  
501 W. Grantline Road  
Tracy, California 95376  
[Sarveybob@aol.com](mailto:Sarveybob@aol.com)

\*Rajesh Dighe  
395 W. Conejo Avenue  
Mountain House, California 95391  
[dighe.rajesh@gmail.com](mailto:dighe.rajesh@gmail.com)

Morgan K. Groover  
Development Director  
Mountain House Community  
Services District  
230 S. Sterling Drive, Suite 100  
Mountain House, CA 95391  
[mgroover@sjgov.org](mailto:mgroover@sjgov.org)

**ENERGY COMMISSION**

JEFFREY D. BYRON  
Commissioner and Presiding Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

\*ROBERT B. WEISENMILLER  
Commissioner and Associate Member  
[rweisenm@energy.state.ca.us](mailto:rweisenm@energy.state.ca.us)

Kenneth Celli  
Hearing Officer  
[kcelli@energy.state.ca.us](mailto:kcelli@energy.state.ca.us)

Kristy Chew  
Advisor to Commissioner Byron  
[kchew@energy.state.ca.us](mailto:kchew@energy.state.ca.us)

Craig Hoffman  
Siting Project Manager  
[choffman@energy.state.ca.us](mailto:choffman@energy.state.ca.us)

Kerry Willis  
Staff Counsel  
[kwillis@energy.state.ca.us](mailto:kwillis@energy.state.ca.us)

\*indicates change

**DECLARATION OF SERVICE**

I, Robert Sarvey, declare that on December 1, 2010, I served and filed copies of the attached Robert Sarvey Status Report #2 . 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:

[\[http://www.energy.ca.gov/sitingcases/mariposa/index.html\]](http://www.energy.ca.gov/sitingcases/mariposa/index.html).

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:**

x \_ 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, CA. 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:**

X\_\_ **sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);**

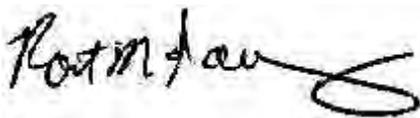
**OR**

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

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 09-AFC-3  
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.



\_\_\_\_\_  
Robert Sarvey