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September 7, 2007

California Energy Commission  
Docket Unit, MS-4  
1516 Ninth Street  
Sacramento, CA 95814-5512

Re: Docket No. 01-AFC-7C

Dear Docket Unit:

Enclosed for filing with the California Energy Commission via electronic e-mail is one (1) original of the **Intervener's Comments to Paul Kramer on Comments on the Proposed Decision, Russell City Plant Amendent.**

The attached Proof of Service has been satisfied by e-mail to all parties.

Sincerely,

Paul N. Haavik,  
Intervener

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September 7, 2007

California Energy Commission  
Mr. Paul Kramer, Hearing Officer  
1516 Ninth Street  
Sacramento, CA 95814-5512

Re: Docket No. 01-AFC-7C

Dear Mr. Kramer:

As the Intervener for the Russell City Energy Center and a participant of the recent evidentiary hearings, held September 5, 2007, I would like to add comments for the Committee's review. Although this information will not be part of the evidence or testimony of the hearings, it may be beneficial for determining several factors in the decision making process.

Being mindful that the public must always be at the forefront of all decisions, I would like to offer to the Committee an addition to the PM 10 retro-fit fireplace program **AQ-SC12**. The Committee has recommended that the program be available to residents of Hayward the first 12 months of the program and then also available to residents of Alameda County residing west of the Oakland/East Bay Hills for the remaining period of twenty-four (24) months. I certainly agree with the Committee's proposal, but would like to add that the Cities and unincorporated communities west of the East Bay/Oakland Hills be added to **AQ-SC12**. The following are the cities and communities that are in this area: Fremont, Newark, Union City, San Leandro, Oakland, Emeryville, Albany, Piedmont, Berkeley, Alameda and the unincorporated communities of San Lorenzo and Castro Valley.

There were some concerns regarding the revisions offered by the Owner for **TRANS-10**, After reviewing these revisions, I agree with the revisions and concur that all items should be phrased in the same way. I have spoken to Mr. Greg Wheatland to confirm these revisions.

A member of the public, Mr. Andrew Wilson indicated in his statements to the Committee on September 5, 2007, that he would provide to the intervener, contact information in regards to the FAA. On August 30, 2007, Mr. Wilson spoke with Shon Wright, 202-267-3513 and Mary Jefferson, 202-267-3518, both staff members for Marion C. Blakely, FAA Administrator. Mr. Wilson also confirmed that Shon Wright had a conversation with Mr. James Adams, California Energy Commission.

In regards to the Land Use issue discussed at the Committee Conference and further Evidentiary Hearing, I have reviewed the lease provided by Mr, Greg Wheatland and overlay map. I have also discussed with Robert Bauman, Public Works Director, City of Hayward, the lease of the Aladdin Property with the Owner. It seems very appropriate to allow the owner to be granted their permit with this lease option.

If you have any questions or concerns, please contact me at your earliest convenience.

Regards,

Paul N. Haavik  
Intervener