

**Robert Sarvey
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Tracy, Ca. 95376
(209) 835-7162**

Exhibit 1

**Intervenor City and County of San Francisco Prehearing Conference statement for
the Potrero 7 power Plant-00-AFC-04 Docket number 25306 dated 4/16/02**

- The identity of the witness(es) a party proposes to sponsor, the topic area(s) upon which the witness(es) will testify, a brief summary of the testimony to be offered and of the witness(es) qualifications, and the time desired to present direct testimony;
- Topic areas upon which a party desires to cross-examine witness(es) from other parties, a summary of the scope of such cross-examination, and the time desired for such cross-examination;
- Copies of exhibits and a list identifying such exhibits that each party intends to offer as evidence (excluding the Application document and Final Staff Assessment); and
- A proposed schedule for the remainder of these proceedings.

I. Introduction

Mirant has invested significant time and resources in preparing, amending and supplementing an AFC to build the Potrero Unit 7 power plant. However, except for removing the brick façade around the turbines, as requested by a few residents, Mirant has not made any modifications that take into account the views and needs of other important stakeholders, including state and federal regulatory bodies, CCSF, the communities affected by this major expansion of a power plant, and the advocates representing many of the residents in these communities. Thus, on the eve of the prehearing conference, all the significant topic areas, including the design of Unit 7, aquatic biology, the cooling water system, air quality, the localized PM₁₀ mitigation proposed by the CEC staff, public health impacts, the transportation and storage of aqueous ammonia, environmental justice, local system effects and alternatives are disputed. There are several key issues that are the bases for most of the disputes. These are:

- a) Potrero Unit 7 should be redesigned prior to hearings to eliminate the common modes of failure that create the need for additional in-City generating capacity to ensure system reliability.
- b) The CEC Staff and every State or regional governmental entity that has reviewed the project has recommended that the proposed once through cooling system not be approved.

- c) The San Francisco Port has not, thus far, agreed to enter into a license with Mirant for the construction of the proposed once through cooling system.
- d) Section 316(b) Clean Water Act regulations that prohibit once through cooling systems at certain new facilities apply to this project.
- e) Mirant has not complied with San Francisco Ordinance 124-01 related to new power generation in San Francisco (the Power Plant Ordinance).
- f) Environmental Justice issues have not been adequately or appropriately addressed.
- g) There are significant questions about whether Mirant will build Unit 7, even if it is licensed.

These issues are discussed in more detail below.

II. Topic Areas That Are Ready to Proceed to Evidentiary Hearings

CCSF witnesses have not, as yet, prepared testimony or designated exhibits. CCSF has also not attempted to anticipate or characterize the testimony of any party. Because CCSF's testimony has not been prepared and because of the inability to anticipate the positions of the various parties, CCSF reserves the opportunity to identify new issues, present additional evidence, expand the scope of its direct evidence, designate new witnesses and to present rebuttal evidence as appropriate.

As of the filing of this PHCS, CCSF believes that the following topic areas are ready to proceed to evidentiary hearings:

- Biology Terrestrial
- Traffic and Transportation
- Transmission Line Safety and Nuisance
- Worker Safety and Fire Protection
- Geology and Paleontology

III. Topic Areas that Are Not Ready to Proceed to Evidentiary Hearing

There are two categories of topics that are not ready for evidentiary hearings. These are:

- 1) The topic areas affected by the design of Potrero Unit 7, which include Power Plant Reliability, Power Plant Efficiency, Facility Design, Local System Effects and Alternatives; and

2) Cooling System Options and those interrelated topic areas, which include Biology Aquatic, Land Use, Noise, Visual Resources and Water and Soils.

A. The Design of Potrero Unit 7 and related topics [Power Plant Reliability, Power Plant Efficiency, Facility Design, Local System Effects and Alternatives]

In January 2002, CCSF learned for the first time that under the planning guidelines of the California Independent System Operator (CaISO), Potrero Unit 7 is considered a single contingency unit because two common modes of failure have been identified (the condenser and cooling water system). Because Unit 7, as currently designed, is a single contingency unit for CaISO planning purposes, significant policy and system reliability and flexibility concerns are raised. These include, but are not limited to:

1. The ability to perform necessary maintenance on the plant without taking the entire plant out of service.
2. The ability to permanently shutdown Potrero Unit 3;
3. The costs that, through RMR contracts, would be paid by ratepayers to retrofit Potrero Unit 3 to meet NOx emissions reduction requirements; and
4. The RMR costs that will be paid by the ratepayers for the continued operation of Potrero Unit 3.
5. The cumulative environmental impacts of maintaining over 900 megawatts of generating capacity at the Potrero Power Plant site.

CCSF has serious concerns about supporting such a large plant with single points of failure in a reliability-challenged area, such as the Bay area. Moreover, licensing of this design will provide Mirant with over 900 MW of generation in San Francisco and ensure that none of that generation can be shutdown (e.g., Potrero Unit 3). In addition to the market power problems that this exacerbates, the siting of such a large facility in a congested urban area raises significant health, environmental, and urban planning concerns (including the costs of interconnecting other environmentally preferred sources of generation).

CaISO has "encouraged" Mirant to reconfigure the plant so that the common modes of failure are eliminated. The CEO of Mirant California has told CCSF that Mirant is currently discussing the redesign with CaISO.

The design before the Committee is that in the AFC. If the Committee proceeds to hearings prior to the redesign to eliminate the common modes of failure, parties will be required

to prepare testimony and witnesses as if Unit 7 will be built with the common modes of failure. If in fact, as Mirant represents, it is willing to redesign Unit 7, the Committee should require that the AFC be amended to change the design prior to the commencement of hearings to avoid the waste of resources and hearing time on a design that is not the one Mirant seeks a license to build.

B. Cooling System Options and related topics [Biology Aquatic, Land Use, Noise, Visual Resources and Water and Soils]

The CEC staff and every State or regional governmental entity that has reviewed the Potrero Unit 7 project, (the Bay Conservation and Development Commission (BCDC) and the California Department of Fish and Game (CDFG)) has recommended that the once through cooling system proposed by Mirant not be approved. As discussed in CCSF's PSA Comments, Cooling System Alternative Comments and comments filed with BCDC, CCSF has serious concerns about the impacts of once through cooling on the San Francisco Bay, the environment and public health. CCSF therefore continues to review the feasibility of alternative technologies and will present substantial evidence during hearings on the feasibility of these alternative cooling systems.

Mirant also needs site control in the form of a license agreement from the San Francisco Port in order to construct the proposed cooling system. The Port has not thus far granted site control. Under the San Francisco Charter and San Ordinance 124-01, the San Francisco Board of Supervisors must approve any license agreement between the Port and Mirant.

The Environmental Protection Agency (EPA) in consultation with the National Marine Fisheries Service (NMFS) has initiated a Section 7 Endangered Species Act consultation about the impact of the cooling system on endangered and threatened species and their habitat. NMFS has already stated that the impacts of the once through cooling system on species within its jurisdiction may be significant. (*See*, NMFS' letter dated March 4, 2002 to the CEC which states, "NMFS believes that the impacts of the once through cooling system to our jurisdictional species may be significant. In addition to direct adverse effects due to thermal plume of warm water discharged into the critical habitat of listed species, there is also the potential for an adverse ecosystem-level effect due to the vulnerability of prey species to be entrained at the Pump intakes. ...")

On January 17, 2002, the EPA promulgated new Section 316(b) regulations that prohibit once through cooling systems at most new facilities. The regulations provide that a "new facility" is any facility that meets the definition of "new source" or "new discharger" in 40 CFR 122.2 and 122.29(b)(1), (2), and (4); commences construction after January 17, 2002; and uses either a newly constructed cooling water intake structure, or an existing cooling water intake structure whose design capacity is increased.

EPA noted that the new rules do not apply to existing facilities including major modifications to existing facilities that would be "new sources." The EPA's rationale in not applying the new regulations to existing facilities was that "existing facilities have less flexibility in designing and locating their cooling water intake structures than new facilities and that existing facilities might incur higher compliance costs than new facilities.... Retrofitting technologies at an existing facility might also require shutdown periods during which the facility would lose both production and revenues, and certain retrofits could decrease the thermal efficiency of an electric generating facility. ..." The rationale for exempting existing facilities clearly does not apply to Potrero Unit 7. Unit 7 is a stand alone unit, with a new cooling system that is completely independent of the existing Potrero Unit 3.

In November 2001, as expected, EPA, Region IX issued a letter advising Mirant that Potrero Unit 7 was a "new facility" and subject to the new regulations. Several months later, with no explanation, EPA headquarters issued a letter countermanding the decision by Region IX. EPA's interpretation of the 316(b) regulations for "new facilities" is wrong and illogical and has a substantial likelihood of being challenged.

Given NMFS' letter of March 4, the findings of BCDC that there is a feasible upland alternative to the proposed once through cooling, the CEC staff recommendation against the use of the proposed once through cooling system and the fact that Mirant does not have site control to build the proposed once through cooling system, CCSF is very concerned about the further waste of public resources on evidentiary hearings prior to completion of the Section 7 consultation.

CCSF recommends that the Committee should not proceed to evidentiary hearings on the cooling options and the interrelated and interdependent topics prior to the completion of the Section 7 consultation. The bases for this recommendation are 1) the outcome of the Section 7 consultation is critical, and awaiting the outcome avoids speculation about the likely outcome by

multiple witnesses during the hearing; 2) given the findings and comments of agencies familiar with the project, the Section 7 findings are critical to further understanding the impact of the cooling water system; and 3) the outcome of the Section 7 consultation is critical to assessing whether Mirant can or will meet the Clean Water Act Section 316(b) requirements.

C. Cooling Options Workshop Should Be Held

During the pendency of the Section 7 consultation, CCSF recommends that the Committee direct the CEC Staff to hold a Cooling Options Workshop. Discovery in this case closed in September 2001. After the close of discovery, in September 2001, Mirant issued a supplemental cooling system report and in December 2001, the CEC staff issued its draft report (which became the basis for the Staff's testimony). In late January 2002, CCSF filed comments on Mirant's reports and the CEC draft report. CCSF's comments included data requests, responses to which CCSF believes are essential to understanding the assumptions and conclusions in the Staff and Mirant reports. In February 2002, CCSF met with Mirant and the CEC staff to discuss their reports. During these meetings, San Francisco made requests for data that support the assumptions or conclusions in the reports. CEC staff has not, to date, provided any of the requested information. Mirant, thirty days after the meeting provided some limited, incomplete information to CCSF. On March 25, 2002, CCSF sent a follow up letter to Mirant again requesting certain information. Thus far, CCSF has not received a response to its March 25th letter.

Without more complete information about the assumptions, design bases, design parameters and conclusions made by the parties in their various cooling options, we have dueling consultants, each with incomplete information. A cooling options workshop, facilitated by the CEC, similar to the Biological Resources Workshop in the Morro Bay Case¹ on March 20, 2002, will give all parties more complete data about the assumptions that form the bases for the various recommendations about cooling options for the Potrero project.

¹ CEC Docket No. 00-AFC012.

IV. Disputed Topic Areas

A. Disputes That Relate to Several Topic Areas

In addition to the disputes noted above (*see*, Topic Areas Not Ready to Proceed to Evidentiary Hearings), the Committee should note that there are four key issues underlying many of the topic area disputes. These are: 1) Mirant has not complied with San Francisco Ordinance 124-01 (the Power Plant Ordinance); 2) there is still no enforceable agreement, with a date certain, for the permanent shutdown of the Hunters' Point Power Plant; 3) Environmental Justice has not been adequately or appropriately addressed; and 4) there are important questions as to whether Mirant will build the Potrero Unit 7 project even if it is licensed. Each of these key issues is discussed briefly below.

1. Mirant Has Not Complied with the Requirements of San Francisco Ordinance 124-01 (the Power Plant Ordinance)

In May 2001, the San Francisco Board of Supervisors enacted an Ordinance which sets forth the minimum requirements that must be met before CCSF can support the proposed project. Mirant has not complied with the San Francisco Ordinance and has not discussed a plan with City officials to comply. Mirant's noncompliance with the City Ordinance impedes the ability of City employees, staff and officials to work with Mirant in areas where cooperation is necessary.

2. The Shut Down Of The Hunters Point Plant

In July 1998, the City of San Francisco entered into an agreement with PG&E calling for the permanent shutdown of the Hunters Point Power Plant as soon as the facility is no longer needed to sustain electrical reliability. As provided in the Power Plant Ordinance, CCSF will not consider supporting the proposed project unless there is an enforceable agreement for the permanent shutdown of the Hunters Point Power Plant.

3. Environmental Justice

In 1998, San Francisco and PG&E signed an agreement calling for the permanent shutdown of the Hunters Point Power Plant as soon as the plant is no longer needed to sustain electrical reliability. This agreement was predicated on substantial evidence that air pollution in Southeast San Francisco is a large contributor to disease and sickness in this part of San Francisco. For example, African American children in Bayview have the highest asthma rates in

San Francisco. African American males in Bayview Hunters Point have the highest prostate cancer rate in San Francisco. The Bay Area has the dubious distinction of having the highest breast cancer rates in the USA. African American women in Bayview Hunters Point have the highest age adjusted breast cancer rates in San Francisco. The mortality rate for African American women in Bayview Hunters Point is 87 percent higher than for White women with similar stage breast cancer at diagnosis.²

Southeast San Francisco also has a disproportionate burden of the toxic and hazardous waste facilities and sites in San Francisco. Bayview Hunters Point has 34% of the active underground storage tanks, 33% of wastewater treatment plants and one of two power plants in San Francisco. Potrero Hill has the other power plant, 18% of active underground storage tanks and 16% of acute hazardous materials sites.³

The CEC staff acknowledges in its FSA that there are significant minority and low income populations in close proximity to the Potrero Unit 7 project. However, despite the well documented existing environmental burdens in this community, the CEC staff consistently found in each FSA topic area that there were no significant impacts caused by the Potrero Unit 7 project that had to be mitigated. For example, the CEC staff concluded that transportation through the community and the storage in this community of what will be the largest hazardous materials site in San Francisco (i.e., aqueous ammonia for the Potrero Unit 7 project) is not a significant impact that must be mitigated. The CEC staff is wrong. CCSF will introduce substantial evidence to demonstrate this error.

4. Will Mirant Build Potrero Unit 7 Even If Licensed?

Since the fall of 2001, Mirant, like all generators, has had its credit rating put on negative watch. Mirant's debt has been downgraded below investment grade. In January 2002, during Mirant's Fourth Quarter and Year End 2001 Earnings Release Conference Call, Mirant's CEO stated, "[w]e reduced our capital budget by 40 per cent in 2002, by either deferring or canceling numerous construction projects." ... "We will warehouse turbines for two other

²Building A Healthier San Francisco: A City wide Collaborative Community Assessment, 1998
Volume I: Health, Social and Economic Indicators Report (*see*, Asthma and Cancer reports)

³Building A Healthier San Francisco: A City wide Collaborative Community Assessment, 1998
Volume I: Health, Social and Economic Indicators Report (*see*, Environmental Health report)

projects in the US, most likely Boline [sic] and Apex. ... We [will] proceed with some development activities in Asian countries." ... "All of these projects in both Asia and Europe are expected to be project financed. Beyond that, our plan assumes everything else is canceled. This is a major assumption change that reduces our capital budget significantly in 2003 and beyond."⁴

Subsequent to the earnings conference call, in response to inquiries from San Francisco City officials about Mirant's statements that construction projects were being cancelled, representatives of Mirant stated that "cancelled" does not mean "cancelled" and that all projects are not "cancelled." More recently, Mirant has informed San Francisco officials that Mirant can only build Potrero Unit 7 if it has a long term power purchase agreement with a credit worthy purchaser. Mirant indicated in these discussions that in order to obtain financing, it would need a long term power purchase agreement for a term of 15-20 years.

There are significant questions as to Mirant's financial ability to raise the capital to construct the Unit 7 project. If Mirant needs a 15-20 year long term power purchase agreement in order to obtain financing, it should be required to obtain such an agreement (or at least an agreement in principal) and produce evidence of such an agreement before more public resources are devoted to this licensing process.

B. Disputed Topic Areas

All the major topic areas are disputed. CCSF witnesses have not, as yet, prepared testimony or designated exhibits. CCSF has also not attempted to fully anticipate or characterize the testimony of other parties in any topic area that is disputed. Because of the large number of disputed and unresolved issues and the inability to anticipate the positions of the various parties, CCSF reserves the opportunity to identify new issues, present substantial additional evidence, expand the scope of its direct evidence, designate additional witnesses and to present rebuttal evidence as appropriate.

As of the filing of this PHCS, CCSF believes that there are one or more disputes involving the following topic areas:

1. Air Quality
2. Biology Aquatic with Cooling Options Study
3. Cultural Resources
4. Hazardous Materials Management
5. Land Use

⁴ <http://www.mirant.com/investors/extras/013199cc.html>

6. Noise
7. Public Health
8. Socioeconomic Resources
9. Water and Soils
10. Waste Management
11. Facility Design
12. Power Plant Efficiency
13. Power Plant Reliability
14. Transmission System Engineering
15. Local System Effects
16. Alternatives

In Attachment A to this PHCS, CCSF summarizes for each topic area the general nature of the dispute, if any, the basic points to be established by CCSF witnesses in their direct testimony, provides an estimate of the time desired for direct testimony and attempts to identify some of the exhibits to be introduced through the testimony of each witness. CCSF fully expects that there will be substantial modifications (both additions and deletions) in Attachment A after it reviews the PHCS filed by the other parties and its witnesses prepare their testimony. It is impossible to adequately identify exhibits before testimony is written. CCSF will modify the list of exhibits after testimony of its witnesses has been submitted.

V. Witness Identification and Qualifications, Topic Areas, and The Time Desired For Direct Testimony

Attachment B to this PHCS is the written qualifications of each identified witness. As noted above, in Attachment A to this PHCS, CCSF summarizes for each topic area the basic points to be established by the witnesses in their direct testimony. CCSF fully expects that there will be substantial modifications (both additions and deletions) in Attachment B after it reviews the PHCS filed by the other parties and CCSF witnesses prepare their testimony.

Because of the large number of disputed and unresolved issues, CCSF reserves the opportunity to present substantial additional evidence, expand the scope of its direct evidence, to present rebuttal evidence as appropriate and to modify the list of witnesses.

VI. Topic Areas for Cross-Examination, Scope of Cross-Examination and The Time Desired For Cross-Examination

At this juncture, CCSF can only speculate as to the topic areas on which other parties may present witnesses and the scope of any such testimony. CCSF has also not attempted to anticipate or characterize the testimony or views of other parties in any topic area that is disputed, or to estimate the amount of time that may be necessary for CCSF's cross-examination. Because of the large number of disputed and unresolved issues, the topic areas for cross examination, the scope of cross examination and the amount of time that will be needed for cross examination are unknown.

CCSF reserves the opportunity to identify the scope of its cross examination as information is available from the other parties about their witnesses and the scope of their direct testimony.

VII. Exhibit List and Copies of Exhibits

Attachment C is a list of the exhibits identified by CCSF in its PHCS dated April 16, 2002. CCSF witnesses have not prepared their testimony or identified exhibits. CCSF fully expects that there will be substantial modifications (both additions and deletions) in Attachments A, B and C after CCSF reviews the PHCS filed by the other parties and CCSF witnesses prepare their testimony. CCSF will modify the list of exhibits after the testimony of its witnesses has been submitted. CCSF will submit copies of exhibits with the testimony of its witnesses.

VIII. Proposed Schedule

Although the timeframe for evidentiary hearings is unknown, in Attachment D, CCSF identifies currently known constraints to the availability of its identified witnesses. CCSF will advise the Committee of any additional changes in the schedules of CCSF witnesses.

CCSF has recommended that hearings not proceed until 1) the AFC has been amended by Mirant to eliminate the common modes of failure and 2) the Section 7 Endangered Species Act consultation has been completed. CCSF has also recommended that a Cooling Options Workshop be convened. CCSF therefore proposes the following schedule:

CCSF Proposed Schedule

AFC amended	no later than May 15
Cooling Options Workshop	no later than May 15
Section 7 Consultation Completed	approximately September 1
Written Testimony Submitted	September 30
Hearings Commence	October 15

In the event the Committee does not agree to await the outcome of the Section 7 consultation, CCSF proposes the following schedule:

CCSF Alternative Proposed Schedule

AFC amended	no later than May 15
Cooling Options Workshop	no later than May 15
Written Testimony Submitted	June 14
Hearings Commence	July 15

CCSF respectfully suggests that a second prehearing conference be held after written testimony is submitted and the timeframe for the evidentiary hearing is known. A second prehearing conference will enable the Committee to narrow the issues and address the sequence of witnesses and topic areas.

Dated: April 16, 2002

DENNIS J. HERRERA
 City Attorney
 THERESA MUELLER
 JACQUELINE MINOR
 Deputy City Attorneys

By: 
 JACQUELINE MINOR
 Attorneys for INTERVENORS
 CITY AND COUNTY OF SAN FRANCISCO

Attachment B
List of Attached Resumes

Note: The following is a list of witnesses identified by CCSF in its PHCS dated April 16, 2002. (See Attachments A and B to the PHCS). CCSF witnesses have not prepared their testimony or identified exhibits. CCSF fully expects that there will be substantial modifications (both additions and deletions) after CCSF reviews the PHCS filed by the other parties and testimony is written. Because of the large number of disputed and unresolved issues, CCSF reserves the opportunity to present substantial additional evidence, expand the scope of its direct evidence, to present rebuttal evidence as appropriate and to modify the list of witnesses.

- Jay A. Ach
- Rajiv Bhatia
- Jared Blumenfeld
- (Louis) Joseph Boss
- Calvin Broomhead
- Charles Edwin Chase
- Sue Drost Cone
- Eugene P. Coyle
- Philip De Andrade
- Danielle I. Dowers
- John C. Fetzer
- Barry R. Flynn
- J. Phyllis Fox
- Frederick W. Krieger
- Richard J. Lee
- Jon Loiacono⁵
- Cynda L. Maxon
- F. Charles Newton
- Terrence Parr
- Thomas Peterson
- Steven Richard Radis
- Byron A. Rhett
- Edward A. Smeloff
- Lynda Weissberg Swanson

April 16, 2002 CCSF PHCS

⁵ Mr. Loiancono's resume will be provided at a later date.

Attachment C Exhibit List

Note: The following is a list of the exhibits identified by CCSF in its PHCS dated April 16, 2002. (See Attachment A to the PHCS). CCSF witnesses have not prepared their testimony or identified exhibits. CCSF fully expects that there will be substantial modifications (both additions and deletions) after CCSF reviews the PHCS filed by the other parties and testimony is written. CCSF will modify the list of exhibits after the testimony of its witnesses has been submitted. CCSF will submit copies of exhibits with the testimony of its witnesses.

Partial List of Exhibits

- San Francisco Public Works Code, Article 4.1
- URS-Dames & Moore, 2000
- Geomatrix Consultants, 2000, Report of Results, Additional Site Characterization, Potrero Power Plant Site. Prepared for Pacific Gas and Electric Co. April.
- URS/Dames & Moore, 2000, Draft Initial Findings Report, Offshore Sediment Sampling, Potrero Power Plant. Prepared for Southern Energy Co. [now Mirant]. September 28.
- URS/Dames & Moore, 2001, Final Offshore Sediment Characterization Report, Potrero Power Plant. Prepared for Mirant California LLC. May 18.
- Fluor Daniel GTI, 1998, Phase II Environmental Site Assessment, Pacific Gas and Electric Company, Potrero Power Plant, San Francisco, California; Vol. I and II, June 1998; Addendum, September 1998.
- BCDC, 2002, Staff recommendation on the Commission's Report to the California Energy Commission on the Potrero Power Plant Expansion, March 15, 2002.
- SF Ordinance 124-01
- Agreement between San Francisco and PG&E dated July 9, 1998 calling for the shutdown of the Hunters Point Power Plant
- Building A Healthier San Francisco: A Citywide Collaborative Community Assessment, 1998 Volume I: Health, Social and Economic Indicators Report (*see* Asthma, Environmental Health and Cancer reports)
- San Francisco General Plan, Environmental Protection Element, Objective 4, Policy 4
- Ordinance No. 225-92, City of San Francisco
- Central Waterfront Cultural Resources Survey Summary Report and Context Statement – Prepared by the San Francisco Planning Department
- Historic Architecture Report – Station A, Ward Hill and Dr. Laurence Shoup, Architectural Historians, Dames & Moore 1999.
- Historic Architecture Report – 435 23rd Street, Michael Corbett, Architectural Historian, URS Corporation 2001

- Draft San Francisco Energy Resources Plan
- Potrero Power Plant Task Force Review of the Draft San Francisco Electricity Resource Plan
- February 2002, Regulated Substances Program Guidance, by SFDPH Hazardous Materials Unified Program Agency
- <http://www.dph.sf.ca.us/Reports/DiseaseInjury/bvhuntca.pdf>
- <http://www.epa.gov/superfund/sites/cursites/c3ca/s0902722.htm>
- <http://geotracker.swrcb.ca.gov/data/>

Potrero Unit 7 Hearing Schedule
 CCSF Witness Scheduling Conflicts as of April 16, 2002

Category	Witness	Dates Unavailable
Hazardous Materials Management	Richard Lee	June 17-21, August 26-30
	Sue Cone	June 13-20, August 29 - September 9
Public Health	Dr. Rajiv Bhatia	May 23 - 25, July 10-12 August 12-25
	Jared Blumenfeld	May 24, June 7 and 21, July 5 and 19, August 2 and 16
Waste Management	Jay Ach	May 29-31, June 17-20, July 22-29, August 19-23
	Cynda Maxon	May 9-17, July 10-24
Cooling Options	Dr. Phyllis Fox	May 23-24, May 31, June 3, June 5
Air Quality, Public Health, Hazardous Materials Management	Steve Radis	May 22-24, July 19, August 23
Land Use	Byron Rhett	August 5 - August 18
Biology Aquatic	Frederick Newton	July 15 - August 15
Transmission System Engineering and Local System Effects	Barry Flynn	May 1-15
Alternatives	Cal Broomhead	June 10-21, July 1-5, August 5-23

April 16, 2002 CCSF PHCS

PROOF OF SERVICE

I, **ARLENE G. ABELLA**, declare that:

I am a citizen of the United States, over the age of 18 years and not a party to the within entitled action. I am employed at the City Attorney's Office of San Francisco, City Hall, Room 234, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

On April 16, 2002, I served the following document:

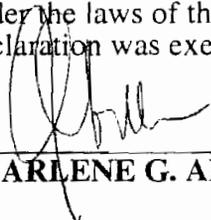
**INTERVENOR CITY AND COUNTY OF SAN FRANCISCO PREHEARING
CONFERENCE STATEMENT**

on the following parties:

Please see attached service list.

- BY MAIL:** I caused true and correct copies of the above documents, by following ordinary business practices, to be placed and sealed in an envelope at the City Attorney's Office of San Francisco, City Hall, Room 234, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, for collection and mailing with the United States Postal Service. The envelope was addressed to the above addressee(s). I am familiar with the City Attorney's Office practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, correspondence placed for collection on a particular day is deposited with the United States Postal Service that same day.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on April 16, 2002, at San Francisco, California.



ARLENE G. ABELLA

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC)

Leslie D. Lacko
50 California Street, Suite 2600
San Francisco, CA 94111

INTERVENORS

CLAUDE WILSON, Executive Director
Southeast Alliance for Environmental Justice (SAEJ)
120 Jerrold
San Francisco, CA 94124

TIFFANY SCHAUER, Executive Director
Our Childrens Earth Foundation (OCE)
915 Cole Street, Suite #248
San Francisco, CA 94107

MICHAEL BOYD
Californians for Renewable Energy (CARE)
821 Lake Knoll Drive
Sunnyvale, CA 94089

ALAN RAMO
Golden Gate University
Environmental Law & Justice Clinic
536 Mission Street
San Francisco, CA 94105

ANNE E. SIMON, *et al.*
Communities for A Better Environment (CBE)
1611 Telegraph Street, Suite 450
Oakland, CA 94612

ANDRIA POMPONI
CDM
100 Pringle Avenue, Suite #300
Walnut Creek, CA 95496

DOGPATCH NEIGHBORHOOD ASSOCIATION
c/o John Borg
888 Illinois Street
San Francisco, CA 94107

POTRERO BOOSTERS NEIGHBORHOOD ASSOCIATION (PBNA)
John DeCastro, President
1459 18th Street, #133
San Francisco, CA 94107

CALIFORNIA ENERGY COMMISSION DOCKET UNIT, MS-4

ATTN: Docket No. 00-AFC-4
1516 Ninth Street
Sacramento, CA 95814-5512

Mirant Potrero, LLC
Mark Harrer, *Project Director
1350 Treat Boulevard, Suite 500
Walnut Creek, CA 94596

MR. EMILIO E. VARANINI, III
Livingston & Mattesich
1201 K Street, Suite 1100
Sacramento, CA 95814

MICHAEL J. CARROLL
Latham & Watkins
650 Town Center Drive, Suite 2000
Costa Mesa, California 92636

COALITION FOR FAIR EMPLOYMENT IN CONSTRUCTION

Attn: Eric Christen
2320 Courage Drive, Suite 110
Fairfield, CA. 94533

JOSEPH TURSI
Restschler, Tursi & Guastamachio
989 E. Hillsdale Blvd., Suite 160
Foster City, CA 94404

JODY LONDON
Grueneich Resource Advocates
582 Market Street, Ste. 1020
San Francisco, CA 94104

INTERESTED AGENCIES

BAY AREA AIR QUALITY MGMT. DIST.
(BAAQMD), Permit Evaluation
Steve Hill, Manager
939 Ellis Street
San Francisco, CA 94109

CALIFORNIA DEPT. OF FISH & GAME (CDFG) --
Central Region
Mike Rugg
P.O. Box 47
Yountville, CA 94599

REGIONAL WATER QUALITY CONTROL BD.
(RWQCB)
Judy Huang
1515 Clay Street, Suite 1400
Oakland, CA 94612

NATIONAL MARINE FISHERIES SERVICE
(NMFS)
Gary Stearn
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Santa Rosa, CA 95404

INTERESTED PARTY

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Potrero Hill Neighborhood House
953 De Haro Street
San Francisco, CA 94107