DOCKET
01-AFC-21C
DATE Jul 13 2009
RECD. Jul 14 2009

Robert Sarvey
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STATE OF CALIFORNIA ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMISSION

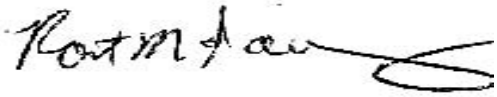
In the Matter of the	)	Docket No. 01-AFC-21C
	)	
Tesla Power Plant Extension	) Robert Sarvey's Support for	
	) Intervention of the IEP	

On July 13, 2009 PG&E filed its opposition to the intervention of the Independent Energy Producers (IEP). PG&E's position is that the IEP should be granted only limited intervention in the compliance proceeding. PG&E has no issues with IEP providing a brief on the legal issues surrounding good cause. PG&E does object to IEP providing any testimony on factual questions posed by the Committee. PG&E states that IEP's petition to intervene does not address issues surrounding question 3 posed by the Committee. A clear reading of IEP's petition for intervention states that, "IEP wishes to participate fully in this Amendment proceeding."

The committee is seeking factual information in questions 3 a-k of the hearing order to determine if in fact good cause exists to grant this extension. These questions while considered outside the scope of a good cause showing by PG&E are questions the committee has posed to all parties and IEP's members should they file for a construction extension will be subject to the determinations made by the Commission on these issues. IEP's testimony would be illuminating to the Commission particularly any testimony they may wish to offer on how PG&E's Tesla Project will affect the current efforts to establish a competitive hybrid market.

The Committee has already invited any governmental agencies or members of the public to provide comments to assist them in their determination. PG&E has offered no reasons why IEP's intervention would harm them or prejudice any other party. Therefore IEP's petition should be granted.

Respectfully submitted,



DECLARATION OF SERVICE

I, Robert Sarvey, declare that on , 2009, I served and filed copies of the attached Robert Sarvey's Support for Intervention of the IEP , dated July 13, 2009. 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: [www.energy.ca.gov/sitingcases/tesla].
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:

FOR SERVICE TO ALL OTHER PARTIES:

XXX sent electronically to all email addresses on the Proof of Service list;

And

FOR FILING WITH THE ENERGY COMMISSION:

XXX sending an original paper copy and one electronic copy, mailed and emailed respectively, t to the addressbelow (*preferred method*)

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 01-AFC-21C
1516 Ninth Street, MS-4
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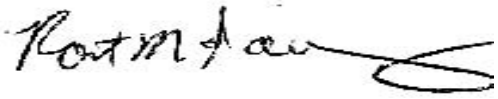
docket@energy.state.ca.us

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



_____
Robert Sarvey

TYPO CORRECTED TO SHOW CORRECT WEBPAGE FOR TESLA

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
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APPLICATION FOR CERTIFICATION
FOR THE *Tesla Power Project*

DOCKET NO. 01-AFC-21C

PROOF OF SERVICE

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