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STATE OF CALIFORNIA
Energy Resources
Conservation and Development Commission

In the matter of:

Application for Certification of the
PUENTE POWER PROJECT

DOCKET NO. 15-AFC-01

**CITY OF OXNARD'S PETITION TO
INTERVENE**

ELLISON FOLK (State Bar No. 149232)
EDWARD T. SCHEXNAYDER (State Bar No. 284494)
SHUTE, MIHALY & WEINBERGER LLP
396 Hayes Street
San Francisco, California 94102
Telephone: (415) 552-7272
Facsimile: (415) 552-5816
Folk@smwlaw.com
Schexnayder@smwlaw.com

Attorneys for the CITY OF OXNARD

PETITION TO INTERVENE

The City of Oxnard hereby petitions to intervene in the proceedings for certification of the Puente Power Project (the “Project”) pursuant to Public Resources Code section 25214 and California Code of Regulations, title 20, sections 1207 and 1712. Any person or group has the right to file a petition to intervene in any California Energy Commission proceeding. 20 C.C.R. § 1207(a). Such requests are liberally granted so long as the presiding Commissioner deems the request “reasonable and relevant.” *Id.* § 1207(c).

The City seeks to protect the health, safety, and welfare of its residents, as well as protecting unique environmental resources that enhance coastal-related development and quality of life in Oxnard. The City also seeks to ensure that its residents remain safe from accidents and power outages that are caused or exacerbated by natural disasters. The City is concerned that the siting of any new generation facility immediately adjacent to the Pacific Ocean may conflict with the Coastal Act, the Oxnard Local Coastal Plan and ongoing comprehensive updates thereto (for which the City has received grant support from the Coastal Commission and the Ocean Protection Council), Coastal Commission guidance on sea level rise, and policies that seek to protect critical energy infrastructure from the expected impacts of sea level rise, storm events, and tsunamis.

To this end, the City is actively participating in the CPUC proceedings related to the Project.¹ The Project site is located within the Oxnard Coastal Zone and near nesting sites for two EPA-listed endangered species. The City has numerous concerns about the proposed Project, including that its location would pose an immediate threat to the public health, safety, and welfare of residents of the City and Ventura County by (1) exposing the facility to sea level rise,

¹ Application No. A. 14-11-016.

storm surge, wave run-up, erosion, or tsunami events that could damage the facility or prevent local emergency response to the Project site, and thereby cause physical damage or disruption of regional power supply, (2) impairing air quality within the City and in the surrounding air quality basin, (3) having negative aesthetic and economic impacts on Oxnard's coast, and (4) being inconsistent with several Oxnard General Plan and Local Coastal Plan policies and provisions of the Coastal Act. The City therefore requests Intervenor status to protect its interests in safety, reliable electricity, and protection from adverse environmental and economic impacts.

The City's distinct interest surrounding these issues is currently underrepresented in this proceeding. Consequently, the City's participation will provide the California Energy Commission with relevant information related to resource and other potential impacts to ensure that both the Commission's consideration of the Project application, and any potential construction or operation, comply with applicable law.

The City intends to fully participate as a party in this proceeding and reserves the right to present evidence and call witnesses as needed. The City will be represented by the counsel identified below. All filings should be served on the City's counsel (email service is preferred):

Ellison Folk
Edward T. Schexnayder
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102
Telephone: (415) 552-7272
Facsimile: (415) 552-5816
Folk@smwlaw.com
Schexnayder@smwlaw.com

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The City respectfully requests that the California Energy Commission grant its Petition to Intervene in this proceeding and allow the City to participate as a party.

DATED: June 22, 2015

SHUTE, MIHALY & WEINBERGER LLP

By: s/ Edward T. Schexnayder

ELLISON FOLK

EDWARD T. SCHEXNAYDER

Attorneys for the CITY OF OXNARD

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