

## DOCKETED

<b>Docket Number:</b>	15-AFC-01
<b>Project Title:</b>	Puente Power Project
<b>TN #:</b>	205364
<b>Document Title:</b>	Committee Order Partially Granting Petition to Intervene
<b>Description:</b>	N/A
<b>Filer:</b>	Maggie Read
<b>Organization:</b>	Energy Commission Hearing Office
<b>Submitter Role:</b>	Committee
<b>Submission Date:</b>	7/15/2015 4:56:54 PM
<b>Docketed Date:</b>	7/15/2015



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

***APPLICATION FOR CERTIFICATION FOR THE  
PUENTE POWER PROJECT***

**Docket No. 15-AFC-01**

### **COMMITTEE ORDER PARTIALLY GRANTING PETITION TO INTERVENE**

Upon consideration of the Petition to Intervene filed by Environmental Coalition, Environmental Defense Center, and Sierra Club Los Padres Chapter (Petitioners), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On June 25, 2015 a Petition to Intervene in the above-captioned proceeding was filed by:

**Environmental Coalition, Environmental Defense Center, and  
Sierra Club Los Padres Chapter  
Brian Segee (State Bar No. 200795)  
Environmental Defense Center  
111 W. Topa Topa Street  
Ojai, CA 93023  
Telephone: (805) 640-1832  
[bsegee@environmentaldefensecenter.org](mailto:bsegee@environmentaldefensecenter.org)**

2. The Petition was timely filed and contains the information required by Section 1207 of the Commission's regulations (Cal. Code Regs., tit. 20, § 1207);
3. No opposition to said Petition has been filed;
4. Intervention is granted in the Committee's discretion to the degree that it finds intervention reasonable and relevant. The Presiding Member or Committee may impose conditions on all intervenors' participation in the hearings in order to promote the orderly conduct of the proceeding;

5. In a recent decision in the Carlsbad Energy Center Amendments proceeding, that Committee applied the following as factors in determining the extent to which granting intervenor status is reasonable and relevant:

(1) whether the petitioner has demonstrated a bona fide interest in the project. Examples of such interests include residence or property interests in the area affected by the project, and participation in broad efforts to preserve or protect the resources potentially impacted by the project. The area affected by the project varies by impact. Air emissions, especially of greenhouse gases, affect a much wider area than locally perceived effects such as visual, noise, and traffic impacts.

(2) whether the petitioner possesses information and expertise that will assist the Committee in preparing a proposed decision. Examples of such information and expertise include familiarity with the environment in the area affected by the project and specialized knowledge about the resources potentially affected by the project.” (Committee Order Denying Expansion of Scope of Rob Simpson’s Intervention. Docket 07-AFC-06C, TN 203262, p. 2).

6. On July 1, 2015, in response to a request for further information, Petitioners submitted a document listing the topic areas of its interest.
7. Petitioners have demonstrated a bona fide interest in the project with respect to the listed topic areas.
8. Petitioners’ interests are relevant to the above-captioned proceeding.

**THEREFORE**, the Committee **ORDERS** that the Petition to Intervene in this matter be **GRANTED** and that Petitioners be placed upon the Proof of Service List as an Intervenor. Petitioners may exercise the rights and shall fulfill the obligations of a party as set forth in all orders issued in this matter and section 1712 of the Commission’s regulations. (Cal. Code Regs., tit. 20, § 1712.)

We further **ORDER** that the Petitioners’ participation is limited to the following topic areas: **project description; project alternatives; compliance and closure; greenhouse gas (GHG) emissions; air quality; hazardous materials management; waste management; biological resources; soil and water resources; land use; socioeconomics; and visual resources.**

Petitioners’ intervention is subject to further modification at the discretion of the Presiding Member or the Committee. These limitations of Petitioners’ participation as an intervenor do not affect its ability to make public comments in the proceeding.

The Energy Commission welcomes and values intervenor participation in its energy facility siting process. A link to the Commission’s regulations describing intervenor participation is posted on the right hand side menu of the Public Adviser’s webpage at: [http://www.energy.ca.gov/public\\_adviser/intervening\\_siting\\_cases.html](http://www.energy.ca.gov/public_adviser/intervening_siting_cases.html).

As an Intervenor, Petitioners are required to file and serve documents on other parties and to follow the Commission's procedures and orders regarding presenting witnesses and evidence.

Petitioners are further required to review the *General Orders Regarding Electronic Document Formats, Electronic Filing and Service of Documents and Other Matters* (found at [http://docketpublic.energy.ca.gov/PublicDocuments/15-AFC-01/TN205168\\_20150626T111413\\_General\\_Orders\\_Regarding\\_Electronic\\_Document\\_Formats\\_Electronic.pdf](http://docketpublic.energy.ca.gov/PublicDocuments/15-AFC-01/TN205168_20150626T111413_General_Orders_Regarding_Electronic_Document_Formats_Electronic.pdf)).

The rules regarding filings, the rules of evidence that apply at the evidentiary hearings, the rules prohibiting off the record contacts with Commissioners or the Hearing Adviser about the merits of a project, and the rules about filing data requests. (Cal. Code Regs., tit. 20, §§ 1001 through 1217, 1712 et seq.)

**PETITIONERS' FAILURE TO FULFILL THESE RESPONSIBILITIES MAY RESULT IN THE COMMITTEE LIMITING OR PRECLUDING PETITIONER'S PARTICIPATION IN THE PROCEEDINGS.**

If Petitioners need any help with participating in the siting process, petitioners are advised to contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228, or e-mail: [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov).

Questions of a legal or procedural nature should be directed to Raoul Renaud, the Hearing Adviser, at (916) 651-2020, or e-mail: [raoul.renaud@energy.ca.gov](mailto:raoul.renaud@energy.ca.gov).

Technical questions concerning the project should be directed to Jon Hilliard, Project Manager, at (916) 654-3936, or e-mail: [jon.hilliard@energy.ca.gov](mailto:jon.hilliard@energy.ca.gov).

The Executive Director or his designee shall ensure that the Petitioners are immediately provided with a copy of the Application for Certification.

Dated: July 15, 2015, at Sacramento, California.

Original signed by \_\_\_\_\_  
JANEA A. SCOTT  
Commissioner and Presiding Member  
Puente Power Project AFC Committee

Original signed by \_\_\_\_\_  
KAREN DOUGLAS  
Commissioner and Associate Member  
Puente Power Project AFC Committee