

## DOCKETED

<b>Docket Number:</b>	07-AFC-06C
<b>Project Title:</b>	Carlsbad Energy Center - Compliance
<b>TN #:</b>	203091
<b>Document Title:</b>	Committee Order Partially Approving Rob Simpson's Petition to Intervene
<b>Description:</b>	N/A
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<b>Organization:</b>	Energy Commission Hearing Office
<b>Submitter Role:</b>	Committee
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<b>Docketed Date:</b>	9/23/2014



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

**PETITIONS TO AMEND THE  
CARLSBAD ENERGY CENTER  
PROJECT**

**Docket No. 07-AFC-06C**

**COMMITTEE ORDER PARTIALLY APPROVING  
ROB SIMPSON'S PETITION TO INTERVENE**

Upon consideration of the Petition to Intervene filed by Rob Simpson (Petitioner), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On August 7, 2014, a Petition to Intervene<sup>1</sup> in the above-captioned proceeding was filed by:

**Rob Simpson  
27126 Grandview Avenue  
Hayward CA 94542  
510-909-1800  
rob@redwoodrob.com**

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; and
4. Petitioner's interests are partially relevant to the above-captioned proceeding.
5. Petitioner describes his interests in general terms, citing "his First Amendment right to 'petition the Government for a redress of grievances,'" "preserving the planet's ability to maintain human life," "clean energy independence," and "maintenance of a quality environment." The only specific topic he cites is air quality and a desire that the Carlsbad Energy Center employ "Best Available Control Technology, site specific integration and provides [sic] full mitigation for all air quality and other identified impacts."
6. The interests of persons who reside in the project vicinity are represented by previously admitted Intevenors Power of Vision, Terramar Association, and Kerry Siekmann.

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<sup>1</sup> TN 202888

7. Petitioner does not reside in the project area or represent any organization with members who do. It is appropriate to limit his participation to those topic areas whose impacts can extend beyond the project vicinity—air quality, greenhouse gases, and public health.

**THEREFORE, THE COMMITTEE ORDERS** that the Petition to Intervene in this matter be **GRANTED** and that Petitioner be placed upon the Proof of Service List as an Intervenor. Petitioner 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. The deadlines for conducting discovery and other matters shall not be extended by the granting of this Petition. (Cal. Code Regs., tit. 20, § 1712.)

**WE FURTHER ORDER** that Petitioner's participation as an Intervenor shall be **limited to** the topics of **Air Quality, Greenhouse Gas emissions, and Public Health**. This limitation is subject to review upon Petitioner's further motion and a specific showing of a compelling interest in the other topic areas considered in this proceeding. This limitation does not limit Petitioner's right to make public comments separately from his role as an Intervenor.

The Energy Commission welcomes and values intervenor participation in its energy facility siting process. A link to the Commission's regulations (Title 20, Division 2) describing intervenor participation may be found below the "Energy Commission Links" heading on the right-hand side menu of the Public Adviser's intervention advice 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, Petitioner is required to file and serve documents on the other parties and to follow the Commission's procedures and orders regarding presenting witnesses and evidence.

Petitioner is further required to review the General Orders Regarding Electronic Document Formats, Filing and Service of Documents and Other Matters (found at [http://docketpublic.energy.ca.gov/PublicDocuments/07-AFC-06C/TN202478\\_20140620T143006\\_062014\\_CARLSBAD\\_ENERGY\\_CENTER\\_Siting\\_case\\_general\\_orders\\_update.pdf](http://docketpublic.energy.ca.gov/PublicDocuments/07-AFC-06C/TN202478_20140620T143006_062014_CARLSBAD_ENERGY_CENTER_Siting_case_general_orders_update.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.)

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

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

Questions of a legal or procedural nature should be directed to Chief Hearing Adviser Paul Kramer at (916) 654-5103, or e-mail at: [paul.kramer@energy.ca.gov](mailto:paul.kramer@energy.ca.gov).

Technical questions concerning the project should be addressed to Mike Monasmith, Staff Project Manager, at (916) 654-4894, or e-mail at: [mike.monasmith@energy.ca.gov](mailto:mike.monasmith@energy.ca.gov).

The Executive Director or his designee shall ensure that the Petitioner is immediately provided with a copy of the amendment petitions.

Dated: September 23, 2014, at Sacramento, California.

***Original Signed By:***

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KAREN DOUGLAS  
Commissioner and Presiding Member  
Carlsbad Amendment Committee

***Original Signed By:***

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ANDREW McALLISTER  
Commissioner and Associate Member  
Carlsbad Amendment Committee