

DOCKETED

Docket Number:	07-AFC-06C
Project Title:	Carlsbad Energy Center - Compliance
TN #:	203785
Document Title:	Committee Order Granting Petition to Intervene
Description:	N/A
Filer:	Maggie Read
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	3/6/2015 4:36:10 PM
Docketed Date:	3/6/2015



**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**

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

Docket No. 07-AFC-06C

COMMITTEE ORDER GRANTING PETITION TO INTERVENE

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

1. On February 20, 2015, a Petition to Intervene¹ in the above-captioned proceeding was filed by:

**Sierra Club
c/o Tamara Zakim
Trent Orr
Earthjustice
50 California Street, Suite 500
San Francisco, CA 94111
(415) 217-200
tzakim@earthjustice.org
torr@earthjustice.org**

**Matthew Vespa, Senior Attorney
Sierra Club
85 Second St., 2nd Floor
San Francisco, CA 94105
(415) 977-5753
Matt.vespa@sierraclub.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. Petitioner's interests are relevant to the above-captioned proceeding;
4. In response to an inquiry made during the March 4, 2015, Committee Status Conference, no party stated any opposition or any intention to oppose the Petition and no opposition has been filed;
5. No provision of law provides Petitioner with a due process right to intervene;
6. Intervention is granted in the Committee's discretion to the degree that it finds intervention reasonable and relevant;
7. 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;

¹ TN 203714

8. The Petition indicates that Petitioner seeks to participate in the proceeding on the limited topics of greenhouse gas emissions and alternatives; and
9. Petitioner's participation in the proceeding is appropriately limited to the topics of greenhouse gas emissions and alternatives.

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. The deadlines for conducting discovery and other matters shall not be extended by the granting of this Petition. (Cal. Code Regs., tit. 20, § 1712.)

The Committee **FURTHER ORDERS** that Petitioner's participation as an Intervenor shall be **limited to** the topics of **Greenhouse Gas Emissions** and **Alternatives**. This limitation does not restrict Petitioner's right to make public comments separately from its role as an Intervenor.

We **FURTHER ORDER** that Petitioner shall comply with the Notice of Prehearing Conference and Evidentiary Hearing, Scheduling Order, and Further Orders.² Consistent with that Notice, Petitioner's exhibits shall be numbered consecutively as **Exhibits 7000 through 7999**.

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 left-hand side menu of the Public Adviser's webpage at: http://www.energy.ca.gov/public_adviser/intervening_siting_cases.html.

As an Intervenor, Petitioner is required to follow the Commission's procedures and orders regarding filing and service of documents on other parties and presenting witnesses and evidence. Petitioner is further required to review the Committee Orders re: Use of Electronic Filing system,³ 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, contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228, or e-mail: publicadviser@energy.ca.gov.

² http://doCKETpublic.energy.ca.gov/PublicDocuments/07-AFC-06C/TN203728_20150223T165403_Notice_of_Prehearing_Conference_and_Evidentiary_Hearing_Schedu.pdf

³ http://doCKETpublic.energy.ca.gov/PublicDocuments/07-AFC-06C/TN202478_20140620T143006_062014_CARLSBAD_ENERGY_CENTER_Siting_case_general_orders_update.pdf

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.

Technical questions about the project should be addressed to Mike Monasmith, Staff Project Manager, at (916) 654-4894, or by e-mail at mike.monasmith@energy.ca.gov or Jon Hilliard, Staff Project Manager, at (916) 654-3936, or by e-mail at jon.hilliard@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: March 6, 2015, at Sacramento, California.

Original signed by

KAREN DOUGLAS
Commissioner and Presiding Member
Carlsbad Energy Center Project AFC Committee

Original signed by

ANDREW McALLISTER
Commissioner and Associate Member
Carlsbad Energy Center Project AFC Committee