

## DOCKETED

<b>Docket Number:</b>	07-AFC-06C
<b>Project Title:</b>	Carlsbad Energy Center - Compliance
<b>TN #:</b>	204000
<b>Document Title:</b>	Robert Simpson - Notice of Intent to Make Oral Comments
<b>Description:</b>	Robert Simpson - Notice of Intent to Make Oral Comments on site remediation at the evidentiary hearing
<b>Filer:</b>	David Zizmor
<b>Organization:</b>	Helping Hand Tools/Robert Simpson
<b>Submitter Role:</b>	Intervenor Representative
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<b>Docketed Date:</b>	3/30/2015

**STATE OF CALIFORNIA**  
**ENERGY RESOURCES CONSERVATION**  
**AND DEVELOPMENT COMMISSION**

In the Matter of:	)	
Petition to Remove Obsolete Facilities	)	Docket No. 07-AFC-06C
To Support Construction of the	)	
Carlsbad Energy Center	)	
	)	
And Petition to Amend the Carlsbad	)	
Energy Center Project	)	
_____	)	

**ROBERT SIMPSON’S NOTICE OF INTENT TO MAKE ORAL COMMENTS AT THE  
CARLSBAD ENERGY CENTER PROJECT EVIDENTIARY HEARINGS**

Intervenor Robert Simpson hereby provides notice to the Presiding Member and Public Adviser that he intends to make public comments at the Carlsbad Energy Center Project (CECP) evidentiary hearings scheduled for April 1-2, 2015 on the topic of “site remediation and financial assurances” as detailed in Motion TN# 203923 by Robert Sarvey and Committee Order TN# 203958.

In Committee Order TN# 203958, the Committee did not grant Mr. Simpson the opportunity to comment on site remediation and financial assurances, presumably because the Committee narrowly defined that topic as “Compliance and Closure” rather than more expansively defining it to include Public Health, a topic Mr. Simpson’s intervenor status allows him to discuss.<sup>1</sup> Nevertheless, under the Commission’s Rules of Practice and Procedure §1202, “[a]ny person present and so desiring shall be given an opportunity to make oral comments on the subject matter of the proceeding. ... [P]ersons desiring to make oral comments are encouraged to notify the presiding member or the public adviser at least two (2) days prior to the hearing at which such comments are to be made.” Mr. Simpson submits this notice to fulfill his duties under §1202.

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<sup>1</sup> For further discussion of why this narrow definition is incorrect, please see Mr. Simpson’s Motion filed March 30, 2015, TN# 203994, at page 2.

Additionally, while the Committee considers Mr. Sarvey's comments on site remediation and financial assurances to be public comments according to TN# 203958, Mr. Simpson's submission of notice to file oral comments shall not to be viewed as endorsing that notion. As stated in Mr. Simpson's Motion TN# 203994, the more expansive view of that topic includes a public health element that makes Mr. Simpson's and Mr. Sarvey's inclusion in this discussion germane based on their intervenor status. This notice does not alter or supersede any of Mr. Simpson's arguments in his motion.

Respectfully Submitted,

/s/ Robert Simpson

March 30, 2015