

## DOCKETED

<b>Docket Number:</b>	07-AFC-06C
<b>Project Title:</b>	Carlsbad Energy Center - Compliance
<b>TN #:</b>	205208
<b>Document Title:</b>	Motion for Opportunity to Address D. 15-05-051
<b>Description:</b>	Motion
<b>Filer:</b>	Robert Sarvey
<b>Organization:</b>	Robert Sarvey
<b>Submitter Role:</b>	Intervenor
<b>Submission Date:</b>	7/1/2015 11:03:06 AM
<b>Docketed Date:</b>	7/1/2015

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

Petition to Amend  
The Carlsbad Energy Center

Docket Number 07-AFC-06C

Survey Motion to Allow Testimony and Briefing on D. 15-05-05.

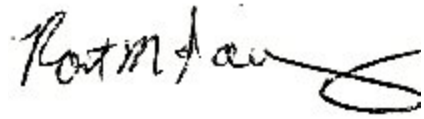
“The PMPD in the alternatives section on Page 3-5 states, “*On May 21, 2015, the CPUC adopted Decision 15-05-051 in proceeding A1407009 (filed May 29, 2015). We take official notice of that decision and have filed it in the Docket of this proceeding. Decision 15-05-051 conditionally approves the PPTA provided that the generation contracted for is reduced to 500 MW and the additional 100 MW that was proposed as gas-fired generation under contract with the project owner is instead procured from preferred resources along with the already required 200 MW, meaning that SDG&E is mandated to procure 300 MW of preferred resources in addition to ACECP’s 500 MW.*”

The PMPD introduces for the first time into the record of this proceeding D. 15-05-051 which is the CPUC decision on the 632 MW Carlsbad PPTA. Since the PMPD took official notice after the close of the record no party has had an opportunity to address this extra record evidence.

Section 1213 of the Rule of Practice and Procedure prescribe that, “*During a proceeding the commission may take official notice of any generally accepted matter within the commission's field of competence, and of any fact which may be judicially noticed by the courts of this state. Parties to a proceeding shall be informed of the matters to be noticed, and those matters shall be noted in the record, or attached thereto.*”

Section 1213 also provides that, “*Any party shall be given a reasonable opportunity on request to refute the officially noticed matters by evidence or by written or oral presentation of authority.*” I request that the commission allow me my rights as a party under Section 1213 to address D. 15-05-051 and provide evidence and written or oral testimony and subsequent briefing on the impacts of D. 15-05-051 on this application. I am uniquely qualified to do so since I provided written testimony and briefing of behalf of CARE in A. 14-07-009.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert Sarvey", written in a cursive style. The signature is positioned above a horizontal line.

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Robert Sarvey