

STATE OF CALIFORNIA
California Energy Commission

DOCKET 07-SPPE-2
DATE OCT 29 2007
RECD. OCT 29 2007

In the Matter of:)
)
Orange Grove Power Plant)
Project)
_____)

Docket No. 07-SPPE-2

Comments of City of Riverside
Riverside Public Utilities
on
Question of appropriate SPPE Standard

Riverside Public Utilities (RPU) has no desire to complicate or interfere in the Orange Grove proceeding. This brief discussion of the appropriate standard in assessing whether an SPPE application should be allowed is intended to aid the Orange Grove Committee to make the proper determination on this issue.

RPU confronted this very issue in a recent SPPE application, Docket No. 04-SPPE-1. The discussion in the Commission's "Small Power Plant Exemption Decision and Mitigated Negative Declaration" should be particularly helpful to this Committee. RPU would like to direct the Committee's attention to the policy discussion starting on page 15 of that Decision and the discussion introducing the table on page 18.

RPU believes there are three additional considerations for this Committee:

1. The test applicable to the determination of significance of environmental impacts should be conducted considering mitigation measures,
2. If the adopted standard does not consider mitigation, there would be no SPPE proceedings, a result obviously not contemplated by the state legislature, and
3. If the Committee and Commission determines that an AFC is appropriate after considering mitigation, the SPPE proceeding should be converted to an AFC and commence at no earlier than at the Data Adequacy stage.

Although the City of Riverside does not seek intervenor status, it would be greatly appreciated if it could be informed of any hearings on this matter.

Respectfully submitted: October 29, 2007

(Original Signed)

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Energy Resources Conservation and Development Commission
State of California

In the Matter of:)
)
Orange Grove Power)
Plant Replacement Project)
Small Power Plant Exemption)
_____)

Docket No. 07-SPPE-2

CERTIFICATE OF SERVICE

I, Allan J. Thompson, hereby declare that on October 26, 2007 I transmitted a copy of "Comments of City of Riverside Riverside Public utilities on Question of Appropriate SPPE Standard" to all below listed parties via electronic mail consistent with the requirements of 20 CCR 1209, 1209.5 and 1210.

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DECLARATION OF SERVICE

I, Allan J. Thompson, declare that on October 29, 2007 I served the attached "Comments of City of Riverside Riverside Public Utilities on Question of Appropriate SPPE Standard, by electronic transmission. Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5 and 1210. All electronic copies were sent to all those on the Proof of Service list above.

(Original Signed)

Allan J. Thompson