

February 19, 2008

Mr. Kenneth Celli
California Energy Commission
1516 Ninth Street, MS-12
Sacramento, CA 95814

DOCKET	
07-SPPE-2	
DATE	FEB 19 2008
RECD.	FEB 19 2008

Re; Orange Grove Energy Project Comments

Dear Mr. Celli,

I have received the document package I requested last week, thank you and Staff for your prompt response.

In preparation for the Status Meeting for the Orange Grove Energy Project SPPE application, I believe the Applicant has not provided sufficient proof that this Project meets the requirements of expedited permitting, and request that the Applicant re-file this Project under full 12 Month AFC permitting guidelines and start over.

My opposition to the expedited permitting of this project comes from my first hand knowledge of the constraints of this geographic area and additional development going on in close proximity to the proposed Project Site, not the Project itself. The site itself demands the full 12 Month AFC process so that the State of California can properly evaluate all the environmental impacts in context, that are proposed for this specific site area and then make a full determination of true potential environmental impacts coming from the Project.

I would like to submit the following questions to Staff regarding the latest changes proposed by the Applicant and how they impact these specific areas of discussion:

1. The Landfill Project at Gregory Canyon, and it's EIR (State Clearinghouse #1995061007)
2. Re-conductoring of the 69 KV circuit and the discrepancies between the CAISO interconnection study performed for the Applicant, and the interconnection study performed by SDG&E on this same circuit
3. Impacts to the County Water Authority Aqueducts # 1 and #2
4. Impacts from the proposed FPU water agreement

Gregory Canyon Landfill Project

The recent submission by the Applicant to run the natural gas lines for the project through the Gregory Canyon Landfill project (GCL) under existing SDG & E easements will impact the GCL project, its published EIR document, and the habitat restoration plans that the GCL project has negotiated with Federal and State Agencies for that area.

The Applicant has not furnished any documentation to prove that the GCL project has agreed to this use of the easement, that the easement language as recorded on County Documents specifies that the easement includes underground gas lines, and that the State and Federal Environmental Agencies have agreed to modify the proposed GCL habitat areas to include the use of the easement for underground gas lines and its related maintenance.

Reconductoring of the 69 KV circuit

The Applicant has provided no environmental evaluation to show that the environmental impacts of the reconductoring required to interconnect this project to the CAISO controlled grid allow this project to qualify for the SPPE permit application requirements.

Recently, the CPUC issued a 7,000 page Environmental Memo that did describe in detail the environmental impacts of the proposed Sunrise PowerLink and its related proposed transmission line construction, and proposed reconductoring of existing lines. The CPUC memo came to the conclusion that the environmental impacts of reconductoring existing power lines warrant further environmental analysis to comply with CEQA requirements.

I would submit to Staff that the documentation and evaluation of the environmental impacts of reconductoring of the 69 KV circuit as proposed in the CAISO System Impact study would be a normal course of action in a full 12 month AFC, but are not part of this SPPE application, and again provided another reason that this Project should be changed to full AFC permitting protocols.

I would also submit to staff that the CAISO study conflicts with the SDG&E interconnection study that my Company paid for on several areas, most specifically, the minimum amount of energy that the circuit can take without major modification and reconductoring for this 69 KV circuit.

The County Water Authority Aqueducts # 1 and # 2

The recent submission from the Applicant proposes that the natural gas line to the project cross over the CWA Aqueducts #1 and #2. The Project Applicant has not furnished any documentation to prove that it has obtained permission from the CWA to do any construction in the CWA easement for Aqueducts #1 and #2 with the proposed natural gas lines.

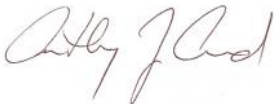
FPUD Water Supply Agreement

The proposed improvements to the FPUD facility for delivery of reclaimed water to the Project would require that the SDAPCD Air Permit for the FPUD facility be amended, and that the additional traffic on local streets in Fallbrook by the water trucks would most likely trigger additional evaluation by APCD of the FPUD facility Air permit. With Camp Pendleton's east gate within site of the FPUD facility, additional traffic to the streets of Fallbrook is a very sensitive topic. It is not clear that FPUD has made this agreement public, and it would be reasonable that FPUD would have public opposition to this agreement from its ratepayers.

The Applicant has not provided any proof that SDAPCD would agree to the necessary changes of the FPUD facility air permit that would be required to make the water agreement valid, and that FPUD would have public support of this facility modification.

Thank you for the opportunity to comment to Staff and the Agency.

Sincerely,



Anthony J Arand
CEO