

March 17, 2008

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

DOCKET 07-SPPE-2	
DATE	MAR 19 2008
RECD.	MAR 26 2008

Re: Orange Grove Energy Project Data Request

Dear Mr. Celli,

In reviewing the presentations and representations of the Orange Grove Project at the last Hearing, I would like to submit the attached Data Requests so that I may clarify and understand the various statements and claims made by the Project's staff and Attorney at that Hearing.

Thank you for the opportunity to participate in this process, and please contact me with any questions or clarifications that Staff may have regarding my submission.

Sincerely,



Anthony J Arand
CEO

DATA REQUESTS

1. Please provide copies of County of San Diego Dept. of Planning and Land Use documents required for the Major Use Permit application including but not limited to:
 - a. Planning Documents
 - b. Memorandum of Understanding committing the County to perform in the timeframe proposed by the developer
 - c. Major Use Application and status of permit processing
 - d. Storm Water Runoff requirements and plan
2. Please provide copies of County of San Diego Dept. of Public Works documents required in support of the Major use Permit application including but not limited to:
 - a. Environmental survey requirements to meet CEQA requirements for the project site
 - b. Environmental survey requirements to meet CEQA requirements for the proposed natural gas line location through the Gregory Canyon Landfill site
3. Please show written proof that SDG&E will not require the developer to operate the facility more than 3200 hours under any circumstances, as this is the basis of the developers claim to minimum air emissions impact. Prior history shows that SDG&E will file for exemption from permitted levels when energy demands are high in total deference to the environmental impacts resulting from the operation. Reference SDAPCD hearing on March 7th, 2007 for the Palomar Energy Facility where SDG&E filed for and was allowed to operate above the permitted levels of the facilities air permit.
4. Please provide a redacted copy of the Power Purchase Agreement with SDG&E that shows the maximum number of operational hours the facility is contracted to supply, with terms, conditions, and exception
5. Please provide the air impact analysis for the proposed project's negative impact declaration in context with the other projects proposed within the six mile study radius to include, but not limited to:
 - a. Gregory Canyon Landfill
 - b. Pala Casino Expansion
 - c. Pauma Casino Expansion
 - d. Rosemary's Mountain Rock Quarry
 - e. Rice Canyon housing development
 - f. Meadow wood housing development
 - g. Palomar Community College satellite campus development
 - h. 90 M-W biomass facility

This data request include the analysis of how the particulate precipitation from the evaporatory coolers proposed for the project would not adversely impact the Pala Reservation's Federal Air emissions compliance, especially particulate and ozone.

6. Please provide revised analysis that compares the cost of combined cycle versus simple cycle when in context to all the cumulative air emissions in the basin resulting from the traffic of the developments listed in #5
7. Please provide written proof that the proposed route for the gas lines is in fact listed on the face of the original easement documents through the various parcels required to get the gas line from the existing main line to the project site

8. Please provide written proof that the Federal and State environmental Agencies have signed off in writing to the modification of the Gregory Canyon landfill environmental restoration plan to include the proposed natural gas line locations through the Gregory Canyon site to the proposed project site.
9. Please provide written proof that the Air permit (ATC) filed with SDAPCD shows anything to do with the evaluation of emissions coming from the modification of the FPUD facility, and traffic impacts as claimed by the Developer in the hearing?
10. Please provide written proof that the ATC filed with SDAPCD for the Project has anything to do with the evaluation and authorization to modify the FPUD facility air permit as claimed by the Developer at the last hearing?
11. Please provide proof that the Rainbow Municipal Water District ordinances allow for the delivery of water to an agricultural zones parcel subject to water deliver restrictions for export to a different parcel for industrial use.
12. Please provide proof that the RMWD Board of Directors voted to approve water service to the project at any time.
13. Please provide proof that the water meter purchased for the project site from RMWD has the water supply source identified and service guaranteed by RMWD.
14. Please provide CEQA evaluation of intercepting County Water Authority Aqueducts #1 or #2 to deliver water to the project site is not a major environmental issue outside of the context of the SPPE process.
15. Please provide written proof that there is available water in CWA Aqueducts #1 or #2 to be delivered to the Project site as CWA has stated many times in writing that the water carried in these aqueducts must be delivered to end users further south in the County as other water supplies are not available, hence the need for construction of a new Aqueduct #3 down the Interstate 15 corridor for any new developments in North County. How is it that this project can obtain water from CWA that other entities, and water Agencies, cannot?
16. Please provide proof that the water supply from RMWD is not contingent upon the construction and operation of the Poseidon de-sal project, which is proposed to be developed in Carlsbad, and that the water supply from RMWD is available without this de-sal project coming on line.
17. If Data request #3 cannot be provided, please provide the water consumption estimates for the project if it were to be authorized to be operated for longer periods of time (>3200 hours) by SDG&E.
18. If Data request #3 cannot be provided, please provide the revised air emissions calculations and environmental impact evaluations of the additional emissions coming from the proposed simple cycle facility, and the basis for why a more traditional combined cycle facility would not be a more appropriate installation.