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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:) Docket No. 11-AFC-01
)
) PETITION FOR EXTENSION OF
) DEADLINE FOR INTERVENTION
Pio Pico Energy Center Project)
)
_____)

For the reasons set forth in the attached Declaration of G. Scott Williams in Support of (1) Petition for Extension of Deadline for Intervention and (2) Petition to Intervene, Corrections Corporation of America respectfully requests that the deadline for submitting a petition to intervene in the above-captioned matter be extended to and until July 6, 2012.

Dated: June 28, 2012

SELTZER CAPLAN MCMAHON VITEK
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By: 
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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:) Docket No. 11-AFC-01
)
) DECLARATION OF G. SCOTT WILLIAMS
) IN SUPPORT OF (1) PETITION FOR
Pio Pico Energy Center Project) EXTENSION OF DEADLINE FOR
) INTERVENTION; AND (2) PETITION TO
_____) INTERVENE

I, G. Scott Williams, declare:

1. I am an attorney licensed to practice law in the State of California, and a shareholder of the law firm Seltzer Caplan McMahon Vitek, A Law Corporation, attorneys of record for Corrections Corporation of America (“CCA”). I have personal knowledge of the matters stated below, and if called upon could competently testify thereto.

2. I am submitting this Declaration in support of CCA’s Petition for an extension of the deadline to file a petition for intervention in the Pio Pico proceeding and in support of CCA’s Petition to Intervene.

3. CCA owns property immediately to the northeast of the site of the proposed Pio Pico Energy Center Power Project (Docket No. 11-AFC-01) in the East

Otay Mesa portion of San Diego County. CCA has received a permit from the County for the development of a 2,132-bed correctional facility on its property.

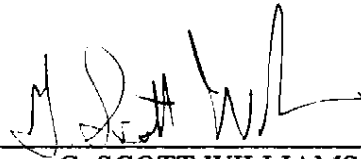
4. I have reviewed the Application for Certification, Preliminary Staff Assessment and Final Staff Assessment for the Pio Pico project on CCA's behalf as they became available. After reviewing the Preliminary Staff Assessment, I contacted the CEC Project Manager (Eric Solorio) and counsel for the Applicant (John McKinsey) to discuss two issues of concern relating to hazardous materials and noise impacts to CCA's facility. After several discussions, I was assured that my concerns would be addressed in the Final Staff Assessment and, in fact, Conditions of Certification Noise-4 and Hazmat-4 were included in the Final Assessment to address CCA's issues.

5. With the June 25 deadline for intervention approaching, I contacted Mr. Solorio and attempted to contact Mr. McKinsey to determine whether there was any reason for CCA to incur the expense of intervention given the fact that the proposed Conditions of Certification were satisfactory to CCA. I was not able to speak with Applicant's counsel, but Mr. Solorio stated to me that the Applicant had assured him that it would not object to the proposed Conditions. I also spoke with Jennifer Jennings, the public adviser for the project, who stated that she did not think formal intervention was necessary given the fact that there was no suggestion of opposition to the proposed Conditions. On that basis, CCA elected not to submit a petition to intervene in the proceeding.

6. I have just been informed this morning by Mr. Solorio that the Applicant has objected to Condition Noise-4 (the relevant noise mitigation measure) in its June 26 filing of its Opening Testimony, Witness List, and Identification of Contested Issues. I have not yet been able to obtain a copy of the Applicant's filing, but I understand that the Applicant is objecting that it is not subject to the relevant County noise standards, even though the County applied those standards to the CCA facility.

7. In light of these developments, it now appears necessary for CCA to formally intervene in the proceeding. Accordingly, CCA respectfully requests an extension until July 6 in the deadline to submit a petition to intervene in the proceeding and respectfully requests permission to intervene. Additionally CCA requests leave to intervene in the proceeding.

I declare under penalty of perjury under the laws of California that the foregoing statements are true and correct and that this declaration was executed this 27th day of June, 2012, at San Diego, California.

A handwritten signature in black ink, appearing to read "G. Scott Williams", is written above a horizontal line.

G. SCOTT WILLIAMS