

**ORIGINAL**

**STATE OF CALIFORNIA**

**Energy Resources Conservation  
and Development Commission**

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE RIO MESA SOLAR  
ELECTRIC GENERATING FACILITY

DOCKET NO. 11-AFC-4

<b>DOCKET</b> 11-AFC-4
DATE <u>JAN 02 2012</u> <u>JAN 06 2012</u>
RECD. _____

**PETITION TO INTERVENE BY  
THE CENTER FOR BIOLOGICAL DIVERSITY**

January 5, 2012  
Lisa T. Belenky, Senior Attorney  
Center for Biological Diversity  
351 California St., Suite 600  
San Francisco, CA 94104  
Direct: 415-632-5307  
Fax: 415-436-9683  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)

Ileene Anderson  
Public Lands Desert Director  
Center for Biological Diversity  
PMB 447, 8033 Sunset Boulevard  
Los Angeles, CA 90046  
(323) 654-5943  
[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)

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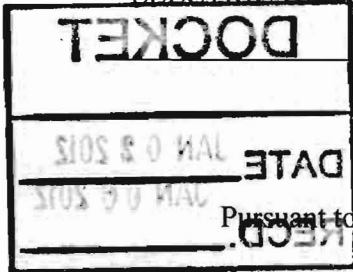
STATE OF CALIFORNIA

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APPLICATION FOR CERTIFICATION  
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Pursuant to sections 1207 and 1712 of Title 20 of the California Code of

Regulations, the Center for Biological Diversity petitions to intervene in this proceeding.

The Center for Biological Diversity is a nonprofit organization whose mission is to protect imperiled species and their habitats through science, policy and environmental law. For more than a decade, the Center for Biological Diversity has worked to conserve and recover the rare, imperiled, and threatened and endangered species in the California deserts. The Center has advocated for protections for the desert tortoise, Mojave fringe toed lizard, golden eagle, migratory birds, and other imperiled species in the California deserts on public and private lands in order to reduce impacts to species and habitats from development, vehicles, predation, and other threats in the California deserts. The Center for Biological Diversity has also participated in the approval process for many site-specific projects and in the planning processes for public and private lands throughout California including in eastern Riverside County where the proposed project is found.

The Center is currently an intervenor in two other active proceedings before the Commission for large-scale solar projects in the California desert. The project at issue in

this matter will directly impact many desert resources including, but not limited to, Mojave fringe-toed lizard, desert tortoise, migratory birds, other imperiled wildlife and plants, and scarce water resources.

The interests of the board, staff, and members of the Center for Biological Diversity are directly affected by the project at issue in this matter. These immediate interests include, but are not limited to, protection of the desert tortoise and Mojave fringe-toed lizard habitats, protections for migratory birds, conservation of rare and imperiled native plants, conservation of other wildlife species found in this area, conservation and protection of water resources, and cumulative impacts to these and other resources.

The Center for Biological Diversity wishes to participate fully in all phases of this proceeding. Filings should be served on Lisa Belenky and Ileene Anderson at the addresses listed below. Email service is preferred.

Lisa T. Belenky, Senior Attorney  
Center for Biological Diversity  
351 California St., Suite 600  
San Francisco, CA 94104  
Direct: 415-632-5307  
Fax: 415-436-9683  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)

Ileene Anderson  
Public Lands Desert Director  
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8033 Sunset Boulevard  
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(323) 654-5943  
[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)

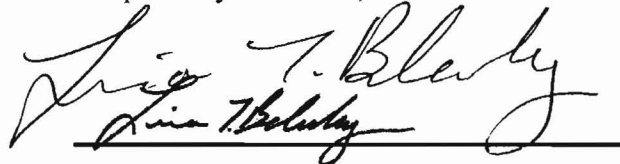
This petition to intervene is timely as this matter is still at an early stage of the proceedings and no Notice of Prehearing Conference or other schedule has yet been

issued.

For the foregoing reasons, the Center for Biological Diversity respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow the Center for Biological Diversity to participate as a party.

Dated: January 5, 2012

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lisa T. Belenky", is written over a horizontal line.

Lisa T. Belenky, Senior Attorney  
Center for Biological Diversity  
351 California St., Suite 600  
San Francisco, CA 94104  
Direct: 415-632-5307  
Fax: 415-436-9683  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION  
FOR THE RIO MESA SOLAR ELECTRIC  
GENERATING FACILITY PROJECT**

**DOCKET NO. 11-AFC-4  
PROOF OF SERVICE  
(Est. 12/21/11)**

**APPLICANTS' AGENTS**

BrightSource Energy, Inc.  
Todd Stewart, Senior Director  
Project Development  
1999 Harrison Street, Suite 2150  
Oakland, CA 94612  
[tstewart@brightsourceenergy.com](mailto:tstewart@brightsourceenergy.com)

BrightSource Energy, Inc.  
Stephen Wiley  
1999 Harrison Street, Suite 2150  
Oakland, CA 94612  
[swiley@brightsourceenergy.com](mailto:swiley@brightsourceenergy.com)

BrightSource Energy, Inc.  
Steve DeYoung  
Andrew Miller  
1999 Harrison Street, Suite 2150  
Oakland, CA 94612  
[sdeyoung@brightsourceenergy.com](mailto:sdeyoung@brightsourceenergy.com)  
[amiller@brightsourceenergy.com](mailto:amiller@brightsourceenergy.com)

**APPLICANTS' CONSULTANTS**

Grenier and Associates, Inc.  
Andrea Grenier  
1420 E. Roseville Parkway,  
Suite 140-377  
Roseville, CA 95661  
[andrea@agrenier.com](mailto:andrea@agrenier.com)

URS Corporation  
Angela Leiba  
4225 Executive Square, Suite 1600  
La Jolla, CA 92037  
[Angela.leiba@urscorp.com](mailto:Angela.leiba@urscorp.com)

**COUNSEL FOR APPLICANTS**

Ellison, Schneider, & Harris  
Christopher T. Ellison  
Brian S. Biering  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816-5905  
[cte@eslawfirm.com](mailto:cte@eslawfirm.com)  
[bsb@eslawfirm.com](mailto:bsb@eslawfirm.com)

**INTERESTED AGENCIES**

Mojave Desert Air Quality  
Management District  
Chris Anderson, Air Quality  
Engineer  
14306 Park Avenue, CA 92392  
[canderson@mdaqmd.ca.gov](mailto:canderson@mdaqmd.ca.gov)

California ISO  
*e-mail service preferred*  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**ENERGY COMMISSION –  
DECISIONMAKERS**

KAREN DOUGLAS  
Commissioner and Presiding Member  
*e-mail service preferred*  
[kldougl@energy.state.ca.us](mailto:kldougl@energy.state.ca.us)

CARLA PETERMAN  
Commissioner and Associate Member  
[cpeterma@energy.state.ca.us](mailto:cpeterma@energy.state.ca.us)

Kourtney Vaccaro  
Hearing Adviser  
[kvaccaro@energy.state.ca.us](mailto:kvaccaro@energy.state.ca.us)

Galen Lemei  
Adviser to Commissioner  
*e-mail service preferred*  
[glemei@energy.state.ca.us](mailto:glemei@energy.state.ca.us)

Jim Bartridge  
Adviser to Commissioner  
[jbartrid@energy.state.ca.us](mailto:jbartrid@energy.state.ca.us)

**ENERGY COMMISSION STAFF**

Pierre Martinez  
Project Manager  
[pmartine@energy.state.ca.us](mailto:pmartine@energy.state.ca.us)

Lisa DeCarlo  
Staff Counsel  
*e-mail service preferred*  
[ldecarlo@energy.state.ca.us](mailto:ldecarlo@energy.state.ca.us)

**ENERGY COMMISSION –  
PUBLIC ADVISER**

Jennifer Jennings  
Public Adviser's Office  
*e-mail service preferred*  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

\*indicates change

**DECLARATION OF SERVICE**

I, Lisa T. Bellula, declare that on, JAN 5, 2012, I served and filed copies of the attached Petition to Intervene, dated JAN 5, 2012. The original document, filed with the Docket Unit or the Chief Counsel, as required by the applicable regulation, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/riomesa/index.html>].

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses NOT marked "e-mail preferred."

**AND**

**For filing with the Docket Unit at the Energy Commission:**

- by sending an original paper copy and one electronic copy, mailed with the U.S. Postal Service with first class postage thereon fully prepaid and e-mailed respectively, to the address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**

Attn: Docket No. 11-AFC-4  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:**

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission  
Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[mlevy@energy.state.ca.us](mailto:mlevy@energy.state.ca.us)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



**DECLARATION OF SERVICE**

I, Lisa T. Belchuk, declare that on, Jan 5, 2012, I served and filed copies of the attached Petition to Intervene, dated Jan. 5, 2012. The original document, filed with the Docket Unit or the Chief Counsel, as required by the applicable regulation, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/riomesa/index.html>].

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

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- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "e-mail preferred."

**AND**

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- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission  
Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[mlevy@energy.state.ca.us](mailto:mlevy@energy.state.ca.us)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



