

Sierra Club California
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rob@redwoodrob.com

DOCKET 08-AFC-3
DATE _____
RECD. <u>JUN 29 2010</u>

State of California
State Energy Resources Conservation and Development Commission

In the Matter of:)	Docket # 08-AFC-3
)	
Marsh Landing Generating)	Petition for Intervention
Station)	of the Sierra Club California
)	
_____)	

1. Sierra Club California submits this petition to Intervene in the Marsh landing Generating Station Docket # 08-AFC-3
2. Sierra Club California will be represented in this Proceeding by Rob Simpson. Service can be made to Mr. Simpson at Rob@redwoodrob.com 27126 Grandview Avenue 510-909-1800
3. Sierra Club California is not a member of a group or organization that has already been accepted as a party to this proceeding,
4. Sierra Club California has an interest in the proceeding because the Marsh Landing Facility has the potential to emit over 750,000 metric tons of MTCO₂E/yr. Sierra Club California believes that the Marsh Landing Facility is not needed as further fossil fuel development is not necessary to ensure grid reliability and to meet the state's electrical

demand. Recent information from the California Energy Commission as well as that forecasted in the California Gas report demonstrates decreasing demand for electricity from natural gas power plants in the coming years. California's Renewable Portfolio Standard law requires that all electrical suppliers procure at least 20% of electricity from renewable resources by 2010. A study conducted by the consulting firm 3E for the California Public Utilities Commission shows that in order to achieve this goal electrical suppliers need to phase-out fossil fuel power plants and increase renewable energy generation.

5. Sierra Club California understands that the person listed in #2 will receive all relevant documents in this proceeding and that he will be responsible for supplying information and documents properly requested by other parties.

6. Sierra Club California certifies that they have provided an electronic copy to the applicant's attorney of record and others on the official service list.

7. Sierra Club California reviewed the CEC Staff's Revised Staff Assessment and believes staff's analysis is deficient in the areas of Air Quality (Greenhouse Gasses), Project Alternatives and impacts to low income and minority communities. The Club's intervention is appropriate since the Commission's Draft Environmental Analysis was released on June 10, 2010. The Commission has always allowed intervention up until the prehearing conference and in some cases later. Sierra Club California has participated in A. 09-09-021 at the CPUC which considered the contract approval of the Marsh Landing Facility but barred the issues that Sierra Club wishes to pursue in this proceeding.

Date

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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT

COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – HU WWW.ENERGY.CA.GOVUH

1B APPLICATION FOR CERTIFICATION Docket No. 08-AFC-3

**FOR THE MARSH LANDING
GENERATING STATION PROOF OF SERVICE
(Revised 6/21/2010)**

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CONSULTANTS

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INTERESTED AGENCIES

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INTERVENORS

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("CURE")

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DECLARATION OF SERVICE

I, Rob Simpson declare that on June, 29, 2010, I served and filed copies of the attached (08-AFC-3) Petition for Intervention of The Sierra Club California. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[\[http://www.energy.ca.gov/sitingcases/marshlanding/Marshlanding_POS.pdf\]](http://www.energy.ca.gov/sitingcases/marshlanding/Marshlanding_POS.pdf). 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, in the following manner:

(Check all that Apply)

For service to all other parties:

sent electronically to all email addresses on the Proof of Service list;
 by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

_____ depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 09-AFC-3

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct

_____/_____
Rob Simpson