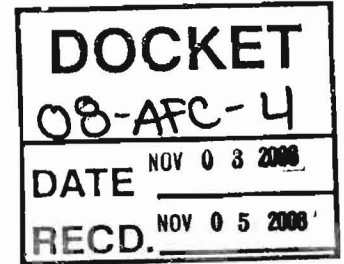


From: "Anthony J Arand" <Tony@envirepel.com>
To: "Jared Babula" <Jbabula@energy.state.ca.us>, "Felicia Miller" <Fmiller@e...>
CC: "Jane Luckhardt" <JLuckhardt@DowneyBrand.com>, <archied1@earthlink.net c...>
Date: 11/3/2008 2:53 PM
Subject: Re: Orange Grove Publication



Ken,

Jared is incorrect in his statement regarding opposition to the project, I oppose certain aspects of the project as non-feasible. One example is to please produce a binding contract from the Gregory Canyon Landfill project, Cal Fish and Game, and US Fish and Wildlife that modifies the Gregory Canyon mitigation plan to allow the impacts of running the gas line from Couser Canyon across to the Project site?. Please keep in mind that the Gregory Canyon project apparently is still in litigation and subject to change. Nothing has been posted on the CEC website that addresses this issue, and I am hoping it's in Staffs assessment document.

How can anyone make a determination on cutting an easement for a gas line through a proposed wetlands habitat recovery area while retaining easements and access for service to the pipeline? They don't have two or three acres to spare in that mitigation plan, unless they drastically modify the landfill project again...Also, how can Staff come to a determination of an material basis when the CPUC environmental assessment of the Sunrise Power link has stated that the environmental impact of a pick up truck driving along power lines once a month is an environmental impact worthy of a full EIR? And you want to cut an easement for a gas line through habitat? If we are to believe that the State of California is playing by the very rules it has laid down that Industry must abide by, then we wait for however long Staff takes to produce the documents.

A second point would be to please provide the analysis of every other project in permitting within the six mile study radius which is a requirement of Title 20, Appendix B. I have not seen one document that evaluates the environmental impact of the Pala Casino expansion, 10,000 homes worth of development, the complete details of the Gregory Canyon landfill, Rosemary's mountain rock quarry, a million square feet of industrial development, a commuter college, a golf course and a proposed sewer plant. Please provide the Air Basin analysis that shows that the emissions from the Project in combination with all the other proposed projects in the permitting channels do not exceed the environmental impact thresholds of the valley?

Staff's assessment is essential in consolidating all the previously submitted information so that the consolidated arguments regarding non-performance towards environmental issues can be fully examined and commented on. Then based on input received after Staff publishes the reports, decide on the appropriate place to hold the next hearing.

Sincerely,

Anthony J Arand

----- Original Message -----

From: "Jared Babula" <Jbabula@energy.state.ca.us>

To: "Felicia Miller" <Fmiller@energy.state.ca.us>; "Ken Celli" <Kcelli@energy.state.ca.us>
Cc: "Jane Luckhardt" <JLuckhardt@DowneyBrand.com>; <archied1@earthlink.net c>; <Tony@envirepel.com>; <amoreau@klinedinstlaw.com>
Sent: Monday, November 03, 2008 2:06 PM
Subject: Re: Orange Grove Publication

I suggest we have the hearings here in Sacramento given we have already been down to San Diego four times, nobody has yet to oppose the power plant, and the fallbrook facility has limited ability to handle conference calling, thus reducing the ability for call in participation.

>>> Ken Celli 11/3/2008 1:57 PM >>>

Felicia:

Do you have an update on the estimated publication date for the FSA? I'm concerned that we provide all parties and the public a sufficient opportunity to comment on the FSA prior to the 12/1/08 Pre-Hearing Conference and the staff needs enough time to respond to comments before the 12/19/08 Evidentiary Hearing. Also, I need time to adequately notice the two hearings. At this late date, it is quite hard to move dates because it is nearly impossible to schedule the Commissioners for out of town travel during the holiday season. Therefore, if we can't keep to the current schedule, realistically, we're looking at dates in January. Please advise.

Kenneth D. Celli
Hearing Advisor II
California Energy Commission
Hearing Office
1516 9th Street, MS 9
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>>> Felicia Miller 10/31/2008 3:33 PM >>>

Hi Ken,

I promised to keep you informed as to my progress regarding the publication of the Staff Assessment. I still have 3 critical sections outstanding at this time. Provided I have the support of staff and management, I anticipate publishing a few days late - most likely by Thursday 11/6.

Let me know if you need any additional details. Felicia