

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

DOCKET	
08-AFC-4	
DATE	OCT 15 2008
RECD.	OCT 17 2008

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)
_____)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:

40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are

I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

PROOF OF SERVICE (REVISED 8/25/08) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 10/17/08
ms



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
ORANGE GROVE POWER
PLANT PROJECT**

**DOCKET No. 08-AFC -4
PROOF OF SERVICE
Revised 8/25/08**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-4
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT ✓

Stephen Thome
J-Power USA Development
1900 East Golf Road, Suite 1030
Schaumburg, IL 60173
sthome@jpowerusa.com

Mike Dubois
J-Power USA Development
1900 East Golf Road, Suite 1030
Schaumburg, IL 60173
mdubois@jpowerusa.com

APPLICANT CONSULTANT

Joe Stenger, PG. REA
TRC
2666 Rodman Drive
Los Osos CA 93402
jstenger@trcsolutions.com

COUNSEL FOR APPLICANT

Jane Luckhardt
Downey Brand, LLP
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

Wayne Song
Morgan, Lewis & Bockius LLP
300 S Grand Avenue, 22nd Floor
Los Angeles, CA 90071
wsong@morganlewis.com

INTERESTED AGENCIES

California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

✓ SENT 10/15/08

Steve Taylor
San Diego Gas & Electric
8306 Century Park Court
San Diego, CA 92123
srtaylor@semprautilities.com

INTERVENORS

*Anthony J. Arand
219 Rancho Bonito
Fallbrook, CA 92028
tony@envirepel.com

ENERGY COMMISSION

JAMES D. BOYD
Commissioner and Presiding Member
jboyd@energy.state.ca.us

ARTHUR ROSENFELD
Commissioner and Associate Member
pflint@energy.state.ca.us

Kenneth Celli
Hearing Officer
kcelli@energy.state.ca.us

Felicia Miller
Project Manager
fmiller@energy.state.ca.us

Jared Babula
Staff Counsel
jbabula@energy.state.ca.us

Public Adviser's Office
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, A.D. McPHEE, declare that on OCT 15/08, I deposited copies of the attached PETITIONS in the United States mail at APPROX. 2 PM with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

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



Form 1 A. D. McPHEE

40482 GAVILAN-

MTN. RD.

FALLBROOK, CA

92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PROOF OF SERVICE

I declare that on OCT. 15, ²⁰2008, I deposited the attached (12 COPIES OF)

PETITIONS FOR INTERVENTION in the United States mail in

FALLBROOK (CA), California, with first class
postage and addressed to the following:

CALIFORNIA ENERGY COMMISSION
ATTN: DOCKET NO. 08-AFC-4
1516 NINTH STREET, MS-15
SACRAMENTO CA 95814-5512

10/15/08

Date

A. D. McPhee

Signature

Check box if continuation pages are attached.

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:

40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are

I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:
40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are
I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C 56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A. D. McPHEE

40482 GAVILAN-

MTN. RD.

FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.
2. Petitioner's address and telephone number are:
40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908
3. Petitioner's position and interest in the proceeding are
I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.
4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.
5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:

40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-773-5908

3. Petitioner's position and interest in the proceeding are

I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. MCPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. MCPHEE, states:

1. Petitioner, ARCHIE D. MCPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:

40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are

I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. MCPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.
2. Petitioner's address and telephone number are:
40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908
3. Petitioner's position and interest in the proceeding are
I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.
4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.
5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08
Date

AD McPhee
Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A. D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.
2. Petitioner's address and telephone number are:
40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908
3. Petitioner's position and interest in the proceeding are
I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.
4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.
5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:

40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are

I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:

40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are

I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. McPHEE

40482 GAVILAN-

MTN. RD.

FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:
40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are
I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Form 1 A.D. McPHEE
40482 GAVILAN-
MTN. RD.
FALLBROOK, CA 92028

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of: ORANGE)
GROVE ENERGY)
POWER PLANT)
POTABLE WATER)
OPTION AGREEMENT)

Docket No. 08-AFC-04
PETITION FOR INTERVENTION

Petitioner, ARCHIE D. McPHEE, states:

1. Petitioner, ARCHIE D. McPHEE, petitions to intervene in the above-entitled proceeding.

2. Petitioner's address and telephone number are:
40482 GAVILAN MTN. RD. FALLBROOK CA,
92028. TEL. # 760-723-5908

3. Petitioner's position and interest in the proceeding are
I AM A CANDIDATE FOR THE "FALLBROOK
PUBLIC UTILITY (FPUD) SEAT NO. 2". I AM
AN FPUD RATEPAYER. I AM CONCERNED WITH
LARGE POTABLE WATER DESIGN DISCREPANCIES.

4. Petitioner does does not wish to reserve the right to present evidence and to cross-examine witnesses.

5. Petitioner will be represented by ARCHIE D. McPHEE
CIVIL ENGINEER C 56761

10/15/08

Date

Archie D. McPhee

Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)



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
ORANGE GROVE POWER
PLANT PROJECT**

**DOCKET No. 08-AFC -4
PROOF OF SERVICE
Revised 8/25/08**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-4
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Stephen Thome
J-Power USA Development
1900 East Golf Road, Suite 1030
Schaumburg, IL 60173
sthome@jpowerusa.com

Mike Dubois
J-Power USA Development
1900 East Golf Road, Suite 1030
Schaumburg, IL 60173
mdubois@jpowerusa.com

APPLICANT CONSULTANT

Joe Stenger, PG. REA
TRC
2666 Rodman Drive
Los Osos CA 93402
jestenger@trcsolutions.com

COUNSEL FOR APPLICANT

Jane Luckhardt
Downey Brand, LLP
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

Wayne Song
Morgan, Lewis & Bockius LLP
300 S Grand Avenue, 22nd Floor
Los Angeles, CA 90071
wsong@morganlewis.com

INTERESTED AGENCIES

California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

Steve Taylor
San Diego Gas & Electric
8306 Century Park Court
San Diego, CA 92123
srtaylor@semprautilities.com

INTERVENORS

***Anthony J. Arand**
219 Rancho Bonito
Fallbrook, CA 92028
tony@envirepel.com

ENERGY COMMISSION

JAMES D. BOYD
Commissioner and Presiding Member
jboyd@energy.state.ca.us

ARTHUR ROSENFELD
Commissioner and Associate Member
pflint@energy.state.ca.us

Kenneth Celli
Hearing Officer
kcelli@energy.state.ca.us

Felicia Miller
Project Manager
fmiller@energy.state.ca.us

Jared Babula
Staff Counsel
jbabula@energy.state.ca.us

Public Adviser's Office
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Maria Santourdjian declare that on October 17, 2008, I deposited copies of the attached Petition to Intervene for Orange Grove Project in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

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



Maria Santourdjian