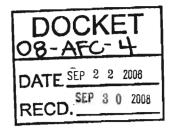
## BEFORE THE ENERGY RESOURCE CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
FOR THE **ORANGE GROVE ENERGY AFC POWER PLANT PROJECT** 

Docket No.: 08-AFC-04



## PETITION TO INTERVENE BY ALLIANCE FOR A CLEANER TOMORROW

September 22, 2008

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Attorneys for the ALLIANCE FOR A CLEANER TOMORROW

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Pursuant to sections 1207 of Title 20 of the California Code of Regulations, the Alliance for a Cleaner Tomorrow ("ACT") petitions to intervene in this proceeding.

Section 1207(a) grants "any person" the right to file a petition to intervene which sets forth "the grounds for the intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceedings, and the name, address, and telephone number of the petitioner." Section 1207(c) provides that the "presiding member may grant leave to intervene to any petitioner to the extent he deems reasonable and relevant . . ."

ACT is a coalition of independent construction company owners and construction industry professionals whose members work in, on and around power plants in California. Thus, the Orange Grove Energy AFC Power Plant Project ("Project") has a direct and profound affect on these construction professionals' immediate economic interests and their lives as a whole.

The Project affects these California citizens and construction industry professionals' longer term economic and environmental interests. Construction without concern for the environment and the ensuing environmental degradation jeopardizes future jobs in the construction industry, depletes limited air pollutant emissions offsets, and uses limited fresh water resources. This can result in further reduction in future employment opportunities.

For these reasons, ACT respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow ACT to participate as a party.

Dated: September 22, 2008

Respectfully submitted

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Orange Grove Energy, L.P. 1900 East Golf Road, Suite 1030 Schaumburg, IL 30173 (847) 908-2800 I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid at San Diego, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on September 29, 2008, at San Diego, California. 689496v1 

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