

Environmental Law and Justice Clinic

August 13, 2009

DOCKET

00-AFC-1C

DATE AUG 13 2009

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SUBMITTED BY E-MAIL

Mr. Kenneth Celli
 Mr. Richard Ratliff
 California Energy Commission
 1516 Ninth Street, MS4
 Sacramento, CA 95814

Mr. Scott Galati
 Galati-Blek LLP
 445 Capital Mall, Ste. 350
 Sacramento, CA 95814

Reference: Gateway Generating Station (00-AFC-01C)

Subject: Complainants' Joint Supplemental Exhibit List

Dear Mr. Celli, Mr. Ratliff and Mr. Galati:

On behalf of the Complainants, we submit this Joint Supplemental Exhibit List for the Gateway Generating Station compliance proceeding.

COMPLAINANTS' JOINT SUPPLEMENTAL EXHIBIT LIST

EXHIBIT #	DOCUMENT	RELEVANCE
25	Bay Area Air Quality Management District (BAAQMD) Notice of Violation Issued to Gateway Generating Station (GGS) for Heat Recovery Steam Generator (dated March 16, 2009) (includes correspondence between BAAQMD and PG&E confirming violation).	GGS Compliance with LORS.
26	BAAQMD Notice of Violation Issued to GGS for Installation of Diesel Fire Pump Without Authority to Construct (dated May 13, 2008) (includes correspondence between BAAQMD and PG&E confirming the violation).	GGS Compliance with LORS.
27	June 19, 2007 GGS BAAQMD Authority to Construct Renewal Letter (includes April 26, 2007 Letter from PG&E to BAAQMD).	GGS Compliance with LORS.
28	March 3, 2003 Letter from EPA to BAAQMD, re: rescinding delegation of BAAQMD's PSD Authority.	GGS Compliance with LORS.

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29	May 1, 2009 Compliance Agreement Between PG&E and BAAQMD.	GGs Compliance with LORS.
30	May 28, 2009 Letter from PG&E to BAAQMD, re: Extension of May 1, 2009 Compliance Agreement.	GGs Compliance with LORS.
31	June 1, 2009 Novation to May 1, 2009 Compliance Agreement Between PG&E and BAAQMD.	GGs Compliance with LORS.

Complainants also reserve the right to amend this exhibit list as further documents become available. ACORN sent a PRA request to BAAQMD on May 18, 2009 for documents related to this facility. ACORN is still waiting for all the documents that respond to that request. In addition, BAAQMD has informed us that some of the documents related to the NOV and on-going enforcement issues are confidential until the issues are resolved. Therefore, additional information related to the facility's operation may become available at a later date and we reserve the right to supplement based on this. Further, we reserve the right to supplement our exhibit list based on the additional documents that PG&E adds to its exhibit list. Further, we note that we have not had an opportunity to conduct any discovery on PG&E in this proceeding so we only have had access to a subset of the information related to this facility.

Sincerely,

/s/ Deborah Behles

Deborah Behles

cc: CEC Docket Unit (via email and first class mail)
John Adams (via email)
Rory Cox (via email)
Rob Simpson (via email)
Bob Sarvey (via email)
Mike Boyd (via email)
Docket No. 00-AFC-1C, Proof of Service List

DECLARATION OF SERVICE

I, Lucas Williams, declare that on August 13, 2009, I served and filed copies of the attached COMPLAINANTS' JOINT SUPPLEMENTAL EXHIBIT LIST. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list. 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:

For service on all other parties: sent electronically to all email addresses on the Proof of Service List;

AND

For filing with the Energy Commission: sent an original paper copy and one electronic copy, mailed and emailed respectively, to the addresses below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 00-AFC-1C
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.

/s/ Lucas Williams



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

IN THE MATTER OF THE COMPLAINT AGAINST
GATEWAY GENERATING STATION

Docket No. 00-AFC-1C
PROOF OF SERVICE
(Revised 7/28/09)

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