COMMITTEE ORDER GRANTING PETITION TO INTERVENE AND FURTHER ORDER

Upon consideration of the Petitions to Intervene filed by Petitioners, Rob Simpson and Sierra Club California, the Committee designated to conduct proceedings in this matter makes the following findings:

On January 7, 2011, a Petition to Intervene was filed in the above-captioned proceeding by:

Edward A. Mainland
Sierra Club California
1017 Bel Marin Keys Blvd.
Novato, CA 94949
emainland@comcast.net
415-902-6365

On January 7, 2011, a Petition to Intervene was filed in the above-captioned proceeding by:

Rob Simpson
27126 Grandview Avenue
Hayward CA. 94542
Rob@redwoodrob.com
510-909-1800

1. The Petitions were timely filed and contained the information required by section 1207 of the Commission’s regulations (Cal. Code Regs., tit. 20, § 1207);

2. No party or other person has filed an opposition to said Petitions; and

3. Petitioners’ interests are relevant to the above-captioned proceeding.
THEREFORE, the Committee ORDERS that the Petitions to Intervene in this matter be GRANTED and that Petitioners be placed upon the Proof of Service List as Intervenors. Petitioners may exercise the rights and shall fulfill the obligations of a party as set forth in section 1712 of the Commission’s regulations. (Cal. Code Regs., tit. 20, § 1712.) The deadlines for conducting discovery and other matters shall not be extended by the granting of these Petitions.

4. Further, the Committee ORDERS Intervenor, Edward Mainland, to file with dockets, the Committee and all the parties, a declaration signed by an authorized executive officer from Sierra Club California that confirms Mr. Mainland is appearing as an authorized representative of the organization and not in his personal capacity. Further, the declaration shall state the actual address and phone number of the headquarters of Sierra Club California. The declaration is a prerequisite to Sierra Club California’s participation as an Intervenor.

The Energy Commission welcomes and values intervenor participation in its energy facility siting process. A link to the Commission’s regulations is posted on the Energy Commission website page at http://www.energy.ca.gov/siting/title20/. As Intervenors, Petitioners are required to file and serve documents on other parties and to follow the Commission’s procedures and orders regarding presenting witnesses and evidence.

Petitioners are further required to review the rules regarding filings, the rules of evidence that apply at the evidentiary hearings and the rules prohibiting off the record contacts with Commissioners or the Hearing Adviser about the merits of a project. (Cal. Code Regs., tit. 20, §§ 1001 through 1217, 1712 et seq.) Discovery in these proceedings is closed.

Petitioner may obtain help with participating in the siting process from the Energy Commission’s Public Adviser’s Office at (916) 654-4489 or (800) 822-6228, or e-mail: [publicadviser@energy.state.ca.us].

The Executive Director or her designee shall ensure that Petitioners are immediately provided with a copy of the Application for Certification (AFC).

Dated: January 19, 2011 at Sacramento, California.

JEFFREY D. BYRON
Commissioner and Presiding Member
Mariposa AFC Committee
APPLICATION FOR CERTIFICATION
FOR THE MARIPOSA ENERGY PROJECT (MEP)

APPLICANT
Bo Buchynsky
Diamond Generating Corporation
333 South Grand Avenue, #1570
Los Angeles, California 90071
b.buchynsky@dgc-us.com

APPLICANT’S CONSULTANTS
Doug Urry
2485 Natomas Park Dr #600
Sacramento, CA 95833-2975
Doug.Urry@CH2M.com

COUNSEL FOR APPLICANT
Gregg Wheatland
Ellison, Schneider & Harris L.L.P.
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816-5905
glw@eslawfirm.com

INTERESTED AGENCIES
California ISO
E-mail Service Preferred
e-recipient@caiso.com

INTERVENORS
Mr. Robert Sarvey
501 W. Grantline Road
Tracy, California 95376
Sarveybob@aol.com

*Edward A. Mainland
Sierra Club California
1017 Bel Marin Keys Blvd.
Novato, CA 94949
emainland@comcast.net

*Rob Simpson
27126 Grandview Avenue
Hayward CA. 94542
Rob@redwoodrob.com

California Pilots Association
c/o Andy Wilson
31438 Greenbrier Lane
Hayward, CA 94544
andy.psi@sbcglobal.net

Rajesh Dighe
395 W. Conejo Avenue
Mountain House, California 95391
dighe.rajesh@gmail.com

Morgan K. Groover
Development Director
Mountain House Community Services District
230 S. Sterling Drive, Suite 100
Mountain House, CA 95391
mgroover@sijgov.org

Mr. Jass Singh
291 N. Altadena Street
Mountain House, California 95391
jass.singh2000@gmail.com

ENERGY COMMISSION
JEFFREY D. BYRON
Commissioner and Presiding Member
jbyron@energy.state.ca.us

ROBERT B. WEISENMILLER
Commissioner and Associate Member
rweisenm@energy.state.ca.us

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

Kristy Chew
Advisor to Commissioner Byron
E-Mail Service preferred
kchew@energy.state.ca.us

Craig Hoffman
Siting Project Manager
choffman@energy.state.ca.us

Kerry Willis
Staff Counsel
kwillis@energy.state.ca.us

Jennifer Jennings
Public Adviser
E-mail Service Preferred
publicadviser@energy.state.ca.us

*indicates change
DECLARATION OF SERVICE

I, Maggie Read, declare that on January 20, 2011, I served and filed copies of the attached Committee Order Granting Petition to Intervene and Further Order, dated January 19, 2011. The original documents, filed with the Docket Unit, are 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/mariposa/index.html]. The document has been sent to both 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:

X  sent electronically to all email addresses on the Proof of Service list;

_____  by personal delivery;

X  by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses NOT marked “email preferred.”

AND

FOR FILING WITH THE ENERGY COMMISSION:

X  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, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original signed by:_____
Maggie Read
Hearing Adviser’s Office