STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission

In the Matter of:

APPLICATION FOR CERTIFICATION
FOR THE GENESIS SOLAR ENERGY
PROJECT

DOCKET NO. 09-AFC-8

PETITION TO INTERVENE BY
THE CENTER FOR BIOLOGICAL DIVERSITY

June 1, 2010

Lisa T. Belenky, Senior Attorney
Center for Biological Diversity
351 California St., Suite 600
San Francisco, CA 94104
Direct: 415-632-5307
Fax: 415-436-9683
lbelenky@biologicaldiversity.org

Ileene Anderson
Public Lands Desert Director
Center for Biological Diversity
PMB 447, 8033 Sunset Boulevard
Los Angeles, CA 90046
(323) 654-5943
ianderson@biologicaldiversity.org

Petition to Intervene
STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

APPLICATION FOR CERTIFICATION
FOR THE GENESIS SOLAR ENERGY
PROJECT

DOCKET NO. 09-AFC-8

PETITION TO INTERVENE BY
THE CENTER FOR BIOLOGICAL DIVERSITY

Pursuant to sections 1207 and 1712 of Title 20 of the California Code of Regulations, the Center for Biological Diversity petitions to intervene in this proceeding.

The Center for Biological Diversity is a nonprofit organization whose mission is to protect imperiled species and their habitats through science, policy and environmental law. For more than a decade, the Center for Biological Diversity has worked to conserve and recover the rare, imperiled, and threatened and endangered species in the California deserts. The Center has advocated for protections for the desert tortoise, Mojave fringe toed lizard, and other imperiled species in the California deserts on public and private lands in order to reduce impacts to species and habitats from development, vehicles, predation, and other threats in the California deserts. The Center for Biological Diversity has also participated in the approval process for many site-specific projects and in the planning processes for public lands throughout the California Desert Conservation Area (“CDCA”) including for the Northern and Eastern Colorado Desert Coordinated Management Plan amendments to the CDCA which include the area where the proposed project is found.
The Center is currently an intervenor in two other proceedings before the Commission for large-scale solar projects in the California desert. The project at issue in this matter will directly impact many desert resources including, but not limited to, the desert tortoise and its critical habitat, Mojave fringe toed and its habitat, other imperiled plants and wildlife, and scarce water resources.

The interests of the board, staff, and members of the Center for Biological Diversity are directly affected by the project at issue in this matter. These immediate interests include, but are not limited to, the survival and recovery of the Mojave fringe-toed lizard, the preservation of its habitat, protection of the desert tortoise and its critical habitat, conservation of rare and imperiled native plants, conservation of other wildlife species found in this area including desert bighorn, conservation and protection of water resources, and cumulative impacts to these and other resources.

The Center for Biological Diversity wishes to participate fully in all phases of this proceeding. Filings should be served on Lisa Belenky and Ileene Anderson at the addresses listed below. Email service is preferred.

Lisa T. Belenky, Senior Attorney
Center for Biological Diversity
351 California St., Suite 600
San Francisco, CA 94104
Direct: 415-632-5307
Fax: 415-436-9683
lbelenky@biologicaldiversity.org

Ileene Anderson
Public Lands Desert Director
Center for Biological Diversity
PMB 447
8033 Sunset Boulevard
Los Angeles, CA 90046
(323) 654-5943
ianderson@biologicaldiversity.org
This petition to intervene is timely and in keeping with the schedule set for this matter in the Revised Notice of Prehearing Conference and Evidentiary Hearing dated April 1, 2010 at 5.

For the foregoing reasons, the Center for Biological Diversity respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow the Center for Biological Diversity to participate as a party.

Dated: June 1, 2010

Respectfully submitted,

Lisa T. Belenky, Senior Attorney
Center for Biological Diversity
351 California St., Suite 600
San Francisco, CA 94104
Direct: 415-632-5307
Fax: 415-436-9683
lbelenky@biologicaldiversity.org
APPLICATION FOR CERTIFICATION FOR THE  
GENESIS SOLAR ENERGY PROJECT

APPLENANT
Ryan O'Keefe, Vice President  
Genesis Solar LLC  
700 Universe Boulevard  
Juno Beach, Florida 33408  
E-mail service preferred  
Ryan.okeefe@nexteraenergy.com

Scott Busa/Project Director  
Meg Russel/Project Manager  
Duane McCloud/Lead Engineer  
Next Era Energy  
700 Universe Boulevard  
Juno Beach, FL 33408  
Scott.Busa@nexteraenergy.com  
Meg.Russell@nexteraenergy.com  
Duane.mcloud@nexteraenergy.com

E-mail service preferred  
Matt Handel/Vice President  
Matt.Handel@nexteraenergy.com

Email service preferred  
Kenny Stein,  
Environmental Services Manager  
Kenneth.Stein@nexteraenergy.com

Mike Pappalardo  
Permitting Manager  
3368 Videra Drive  
Eugene, OR 97405  
mike.pappalardo@nexteraenergy.com

Kerry Hattevik/Director  
West Region Regulatory Affairs  
829 Arlington Boulevard  
El Cerrito, CA 94530  
Kerry.Hattevik@nexteraenergy.com

APPLICANT’S CONSULTANTS
Tricia Bernhardt/Project Manager  
Tetra Tech, EC  
143 Union Boulevard, Ste 1010  
Lakewood, CO 80228  
Tricia.bernhardt@tteci.com

James Kimura, Project Engineer  
Worley Parsons  
2330 East Bidwell Street, Ste.150  
Folsom, CA 95630  
James.Kimura@worleyparsons.com

COUNSEL FOR APPLICANT
Scott Galati  
Galati & Blek, LLP  
455 Capitol Mall, Ste. 350  
Sacramento, CA 95814  
sgalati@gb-llp.com

INTERESTED AGENCIES
California-ISO  
e-recipient@caiso.com

Alison Shaffer, Project Manager  
Bureau of Land Management  
Palm Springs South Coast  
Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262  
Allison.Shaffer@blm.gov

INTERVENORS
California Unions for Reliable Energy (CURE)  
c/o Tanya A. Gulesserian,  
Rachael E. Koss,  
Marc D. Joseph  
Adams Broadwell Joseph & Cardoza  
601 Gateway Boulevard, Ste 1000  
South San Francisco, CA 94080  
tgulesserian@adamsbroadwell.com  
rkoss@adamsbroadwell.com

*Tom Budlong  
3216 Mandeville Cyn Rd.  
Los Angeles, CA 90049-1016  
tombudlong@roadrunner.com

Californians for Renewable Energy, Inc. (CARE)  
Michael E. Boyd, President  
5439 Soquel Drive  
Soquel, CA 95073-2659  
michaelboyd@sbcglobal.net

OTHER
Alfredo Figueroa  
424 North Carlton  
Blythe, CA 92225  
lacunadeaztlan@aol.com

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

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

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

Mike Monasmith  
Siting Project Manager  
mmonasmith@energy.state.ca.us

Caryn Holmes  
Staff Counsel  
cholmes@energy.state.ca.us

Robin Mayer  
Staff Counsel  
rmayer@energy.state.ca.us

Jennifer Jennings  
Public Adviser’s Office  
public adviser@energy.state.ca.us

*indicates change
DECLARATION OF SERVICE

I, Lisa T. Belsky, declare that on June 1, 2010, I mailed hard copies of the attached Petition, dated June 1, 2010. The original document, filed with the Docket Unit, is 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/genesis_solar].

The documents have 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:

✓ sent electronically to all email addresses on the Proof of Service list;
✓ by personal delivery;
✓ 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:

✓ 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-8
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.

Lisa T. Belsky

*Indicates change 2