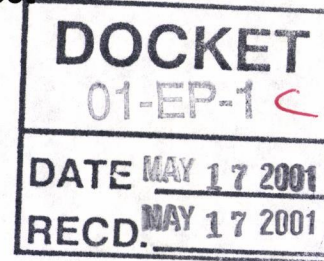


U. State of California Energy Resources
Conservation and Development Commission
Docket No. 01-EP-1
Application for Certification for the
LARKSPUR ENERGY FACILITY Emergency Peaker Project
CALIFORNIA ENERGY COMMISSION
DOCKET UNIT, MS-4
Attn: Docket No. **01-EP-1**
1516 Ninth Street
Sacramento, CA 95814-5512



From: Californians for Renewable Energy, Inc. (CARE)
821 Lakeknoll Drive
Sunnyvale, CA 94089
(408) 325-4690

**DEMAND THAT CEC TERMINATE EXPENDITURE OF PUBLIC FUNDS PENDING
RESOLUTION OF THE "ENERGY CRISES"**

PLEASE TAKE NOTICE that we respectfully demand that all administrative review activities concerning applications for the siting, construction or operation of natural gas powerplants in the state of California presently before the CEC in any manner requiring CEQA or CEQA-equivalent compliance as part of the administrative review be immediately terminated or substantially modified, and no additional public funds be expended to review such applications pending the resolution of, or at least the substantial stabilization of prices, supplies and other market conditions in regard to, the ongoing California energy crisis declared to constitute an emergency by the Governor through the issuance of executive orders commencing in January 2001. The energy crisis has made it impossible to conduct the type of stable, finite and accurate review of conditions as they actually exist required by CEQA. The energy crisis has destroyed and continues to destroy the database essential to the identification, evaluation and mitigation of potentially significant environmental impacts that may occur as a result of a powerplant project. The compilation of that fundamental database is the backbone of the process required by CEQA to afford,

1 we respectfully demand that the CEQA environmental review carried out in previously
2 approving all natural gas powerplant projects be immediately reopened to determine if
3 and precisely how the environmental documentation for each such previously
4 approved powerplant project must be modified to take into account the ongoing
5 energy crisis and its potentially significant effects on the powerplant project
6 themselves, as well as on the environment generally. We strongly urge you to provide
7 us with an immediate and final response to these demands, consisting of or
8 accompanied by a fair explanation of the CEC's position. Should we fail to receive
9 an adequate, good faith and fair response from you within a reasonable period
10 (reasonable in regard to our resources and fund raising as well as time elapsed), we
11 will assume and rely upon your silence as a full and final denial and we will proceed
12 accordingly without further futile efforts to correct and salvage the validity of your
13 administrative process for the siting, construction and operation of thermal
14 powerplants in California.

15 PLEASE TAKE FURTHER NOTICE that your failure to immediately cease and
16 desist from the further waste of public funds by processing applications subject to a
17 CEQA equivalent review that may not be performed because of existing, ongoing
18 conditions--i.e., the energy crisis--may become the subject of a taxpayers suit under
19 section 526a of the Code of Civil Procedure, and relief may be sought against the
20 decisionmakers personally, as well as against other parties.

21
22 *Michael E. Boyd*

23 President-CARE (408) 325-4690

24 DATED: May 16, 2001.