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Docket Number:	07-AFC-06C
Project Title:	Carlsbad Energy Center - Compliance
TN #:	205248
Document Title:	PMPD Comments
Description:	Terramar comments on the PMPD
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Submitter Role:	Intervenor
Submission Date:	7/6/2015 2:09:42 PM
Docketed Date:	7/6/2015

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July 6, 2015

Via E Filing

July 6, 2015

Amended Carlsbad Energy Center Project (07-AFC-06C)

Karen Douglas, Commissioner and Presiding Member, Andrew McAllister,
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Terramar Comments Submitted Regarding the PMPD for the ACECP Project

Below please find two comments that Terramar would like for the CEC committee to reconsider before sending the PMPD to the entire Commission. Terramar suggests that Trans-1 be rewritten with the suggested condition.

Terramar would also like for the CEC committee to reconsider the approval of 600 MW to 500 MW as the required finding of “need” has not been met in the PMPD.

1. Condition of Certification Trans-1

To insure the safety of the Terramar community and all others who may be passing through the area, Terramar suggests that Condition of Certification Trans-1 deny any large vehicles (with 8 or more wheels) from exiting the San Diego Gas and Electric site on Cannon Road if they intend to turn left and travel east. Terramar suggests that this be enforced throughout the entire ACECP project.

After witnessing a semi exit from the SDG&E site and turn left, get trapped on the railroad tracks when the Avenida Encinas light turned red and then a train approached and the crossing arms came down, I was terrified. I was sitting directly behind the semi. The light changed to green and the semi was able to exit the tracks in time for the train to pass.

Another resident of Terramar also witnessed a semi turn left out of the SDG&E site and get caught on the tracks when the light turned red.

Knowing that this danger is occurring, the only solution to this problem is to deny large trucks from exiting the SDG&E site if they are traveling east.

There is a crossing inside the project site. NRG has opposed using this option as some vehicles cannot make it across the crossing. Terramar suggests that NRG could renovate the crossing to make it accessible for these trucks. During construction they will have all kinds of construction vehicles to renovate the crossing. This would allow all of the large vehicles to use the Avenida Encinas light to exit east and never cross the tracks on Cannon.

It seems a simple solution to ensure the safety of the neighborhood that is going to be impacted by five years of construction.

2. The PMPD does not support the ACECP 600MW “need” requirement in the Override Findings Section.

On pages 9-3 and 9-4 in the Override Findings section of the PMPD is a section titled **Approval of projects under PRC Sections 25525 and 21081**. This is the section of the PMPD that is purported to factually support a determination of the “need” for the 600 MW ACECP.

This two-page explanation totally evades any factual support for the 600MW “need” for this project. It only explains that it doesn’t have to agree with the CPUC decision.

The PMPD must support “necessity” for the ACECP and must support a 600MW “necessity” for the ACECP where an “override” is required.

Currently the PMPD does not conform with LORS as it does not support the very important “need” determination. Terramar suggests that the CEC reduce the “need” requirement to 500 MW as determined by the CPUC and follow the lead of the CPUC in its determination of the “need”. This way the PMPD will, at least, have something to base its finding determination on.

Terramar continues to believe that the ACECP is unnecessary and that the “need” could be and should be supported with renewable projects as previously determined by a prior CPUC decision.