

LIEBERT CASSIDY WHITMORE  
A PROFESSIONAL LAW CORPORATION  
LOS ANGELES | FRESNO | SAN FRANCISCO

<b>DOCKET</b> 06-AFC-6	
<b>DATE</b>	FEB 01 2008
<b>RECD.</b>	FEB 01 2008

153 TOWNSEND STREET, SUITE 520  
SAN FRANCISCO, CALIFORNIA 94107  
T: (415) 512-3000 F: (415) 856-0306

AKACHALIA@LCWLEGAL.COM  
(415) 512-3045

February 1, 2008

**VIA E-MAIL DOCKET@ENERGY.STATE.CA.US AND  
SGEFTER@ENERGY.STATE.CA.US**

Susan Gefter  
Hearing Officer  
California Energy Commission  
Attn: Docket No. 06-AFC-6  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

Re: *Chabot-Las Positas Community College District's Draft Distances and Directions  
for Stipulation*  
Client-Matter: CH030-032

Dear Ms. Gefter:

On behalf of intervenor Chabot-Las Positas Community College District, I am hereby proposing and filing the following distances for consideration. Applicant provided the parties with a list of proposed distances on late Friday, January 25, 2008. It is my understanding that, on January 31, 2008, counsel for applicant Eastshore Energy Center has asked the parties to file their distance estimates separately. Please find below the District's proposed list of distances:

A. Size of the Chabot College campus and its bordering streets

Size of campus: 88.5 to 94 acres.

Bordering streets: Hesperian Blvd and Depot Road.

B. What is the Chabot College campus "center"?

Grand Court

While you requested to know the "center," we wish to point out that there is a large student parking lot to the west/southwest of the Grand Court, where a great number of students park on a daily basis.

C. Distance of Eastshore Energy Center from Chabot College campus center

Distance from Eastshore Energy Center to Chabot College's Grand Court: 4300 feet or .81 mile

Distance from Eastshore Energy Center to Chabot College's southwestern student parking lot: 3500 feet or .66 mile

D. Distance of Russell City Energy Center from Chabot College campus center

Distance of Russell City Energy Center from Chabot College's Grand Court: 7800 feet or 1.48 miles

Distance of Russell City Energy Center from Chabot College's southwestern parking lot: 7000 ft or 1.33 miles

E. Location of Chabot College campus center relative to i. Russell City Energy Center and ii. Eastshore Energy Center. Indicate the direction (north, south, east, west)

- Chabot College's "center" is Northeast of Russell City Energy Center

- Chabot's College's "center" is Northeast of Eastshore Energy Center; Eastshore sits in between Chabot College and Russell City. Russell City is to the west of Eastshore which is to the west of Chabot College.

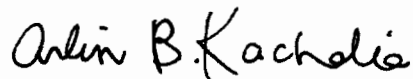
While the District objects to the Commission staff's proposed "chart" of distances, filed on or about January 30, 2008, the District does not have any objections to the Commission staff's "map diagram" of distances for the following:

1. Distance measured from the Eastshore site boundary to the closest point of the Chabot College campus boundary: 2,826 feet per CEC staff's diagram.
2. Distance measured from the RCEC site to the center courtyard/quad of Chabot College: 6,762 feet per CEC staff's diagram.

Should you have any questions or concerns, please feel free to contact me.

Sincerely,

LIEBERT CASSIDY WHITMORE



Arlin B. Kachalia

cc: Eastshore POS

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION  
OF THE STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION  
FOR THE EASTSHORE ENERGY CENTER  
IN CITY OF HAYWARD  
BY TIERRA ENERGY**

**Docket No. 06-AFC-6**

**PROOF OF SERVICE  
(Revised 1/18/2008)**

**INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:**

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 06-AFC-6  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**APPLICANT**

Greg Trewitt, Vice President  
Tierra Energy  
710 S. Pearl Street, Suite A  
Denver, CO 80209  
[greg.trewitt@tierraenergy.com](mailto:greg.trewitt@tierraenergy.com)

Harry Rubin, Executive Vice President  
RAMCO Generating Two  
1769 Orvietto Drive  
Roseville, CA 95661  
[hmrenergy@msn.com](mailto:hmrenergy@msn.com)

**COUNSEL FOR APPLICANT**

**APPLICANT'S CONSULTANTS**

David A. Stein, PE  
Vice President  
CH2M HILL  
155 Grand Avenue, Suite 1000  
Oakland, CA 94612  
[dstein@ch2m.com](mailto:dstein@ch2m.com)

Jane Luckhardt, Esq.  
Downey Brand Law Firm  
555 Capitol Mall, 10th Floor  
Sacramento, CA 95814  
[jluckhardt@downeybrand.com](mailto:jluckhardt@downeybrand.com)

**INTERESTED AGENCIES**

Jennifer Scholl  
Senior Program Manager  
CH2M HILL  
610 Anacapa Street, Suite B5  
Santa Barbara, CA 93101  
[jscholl@ch2m.com](mailto:jscholl@ch2m.com)

Larry Tobias  
CA Independent System Operator  
151 Blue Ravine Road  
Folsom, CA 95630  
[ltobias@caiso.com](mailto:ltobias@caiso.com)

## **INTERVENORS**

Greg Jones, City Manager  
Maureen Conneely, City Attorney  
City of Hayward  
777 B Street  
Hayward, California 94541  
[greg.jones@hayward-ca.gov](mailto:greg.jones@hayward-ca.gov)  
[michael.sweeney@hayward-ca.gov](mailto:michael.sweeney@hayward-ca.gov)  
[maureen.conneely@hayward-ca.gov](mailto:maureen.conneely@hayward-ca.gov)  
[david.rizk@hayward-ca.gov](mailto:david.rizk@hayward-ca.gov)

Pillsbury Winthrop Shaw Pittman LLP.  
Att: Diana Graves, Esq  
Att: Michael Hindus, Esq  
50 Fremont Street  
San Francisco, CA 94120  
[diana.graves@pillsburylaw.com](mailto:diana.graves@pillsburylaw.com)  
[michael.hindus@pillsburylaw.com](mailto:michael.hindus@pillsburylaw.com)  
[ronald.vanbuskirk@pillsburylaw.com](mailto:ronald.vanbuskirk@pillsburylaw.com)

Paul N. Haavik  
25087 Eden Avenue  
Hayward, CA 94545  
[lindampaulh@msn.com](mailto:lindampaulh@msn.com)

James Sorensen, Director  
Alameda County Development Agency  
Att: Chris Bazar & Cindy Horvath  
224 West Winton Ave., Rm 110  
Hayward CA 94544  
[james.sorensen@acgov.org](mailto:james.sorensen@acgov.org)  
[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)  
[cindy.horvath@acgov.org](mailto:cindy.horvath@acgov.org)

Charlotte Lofft & Susan Sperling  
Chabot College Faculty Association  
25555 Hesperian Way  
Hayward, CA 94545  
[clofft@chabotcollege.edu](mailto:clofft@chabotcollege.edu)  
[ssperling@chabotcollege.edu](mailto:ssperling@chabotcollege.edu)

Law Office of Jewell J. Hargleroad  
Jewell J. Hargleroad, Esq  
1090 B Street, No. 104  
Hayward, CA 94541  
[jewellhargleroad@mac.com](mailto:jewellhargleroad@mac.com)

Jay White, Nancy Van Huffel,  
Wulf Bieschke, & Suzanne Barba  
San Lorenzo Village Homes Assn.  
377 Paseo Grande  
San Lorenzo, CA 94580  
[jwhite747@comcast.net](mailto:jwhite747@comcast.net)  
[slzvha@aol.com](mailto:slzvha@aol.com)  
[wulf@vs-comm.com](mailto:wulf@vs-comm.com)  
[suzbarba@comcast.net](mailto:suzbarba@comcast.net)

Richard Winnie, Esq.  
Alameda County Counsel  
Att: Andrew Massey, Esq.  
1221 Oak Street, Rm 463  
Oakland, CA 94612  
[richard.winnie@acgov.org](mailto:richard.winnie@acgov.org)  
[andrew.massey@acgov.org](mailto:andrew.massey@acgov.org)

**\* Libert Cassidy Whitmore**  
**Att: Laura Schulkind, Esq.**  
**Att: Arlin B. Kachalia, Esq.**  
**153 Townsend Street, Suite 520**  
**San Francisco, CA 94107**  
**[lschulkind@lcwlegal.com](mailto:lschulkind@lcwlegal.com)**  
**[akachalia@lcwlegal.com](mailto:akachalia@lcwlegal.com)**

Robert Sarvey  
501 W. Grantline Rd  
Tracy, CA, 95376  
[Sarveybob@aol.com](mailto:Sarveybob@aol.com)

**ENERGY COMMISSION**

Jeffrey D. Byron, Presiding Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

John L. Geesman, Associate Member  
[jgeesman@energy.state.ca.us](mailto:jgeesman@energy.state.ca.us)

Susan Gefter, Hearing Officer  
[sgefter@energy.state.ca.us](mailto:sgefter@energy.state.ca.us)

Bill Pfanner, Project Manager  
[bpfanner@energy.state.ca.us](mailto:bpfanner@energy.state.ca.us)

Caryn Holmes, Staff Counsel  
[cholmes@energy.state.ca.us](mailto:cholmes@energy.state.ca.us)

Public Adviser  
[pao@energy.state.ca.us](mailto:pao@energy.state.ca.us)

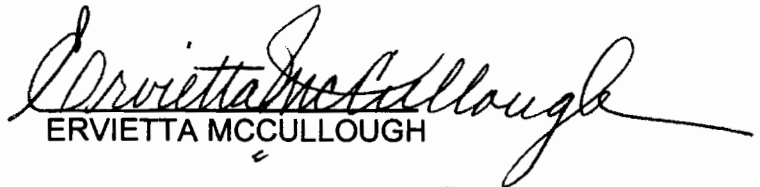
**DECLARATION OF SERVICE**

I, Ervietta McCullough, declare that on February 1, 2008, I deposited copies of the attached CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT'S DRAFT DISTANCES AND DIRECTIONS FOR STIPULATION in the United States mail at Sacramento, CA, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of the California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

  
ERVETTA MCCULLOUGH