

MAY 19

May 12, 2008

California Energy Commission  
1516 Ninth St, MS-31  
Sacramento, CA 95814

Commissioner Jackalyn Pfannenstiel, Chair  
Commissioner James D. Boyd, Vice Chair  
Commissioner Arthur H. Rosenfeld  
Commissioner Jeffrey Byron  
Commissioner Karen Douglas J. D

Honorable Commissioners,

*Session*  
*Safety Committee*  
*Issue?*

<b>DOCKET</b>	
07-AFC-4	
DATE	MAY 13 2008
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Tonight I witnessed a disappointing display of the "public" hearing process. Staffs from CEC were in Chula Vista for a workshop about the MMC Energy Peaker Plant. When staff requested public input on the air quality aspects of the project, the meeting was taken over by representatives of the Environmental Health Coalition (EHC) who refused to reserve general public comment until the end of the meeting. This led to the audience becoming disruptive and they began yelling out questions and comments. This went on for what seemed an eternity, but realistically was more like 15 minutes. The solution, as staff from the CEC determined, was to take a 5 minute break from the meeting to have a sidebar about how to run the meeting from which they were taking a recess. This sidebar meeting was held behind the table and participation included members of the EHC who also went behind the table to discuss the meeting. Upon staff return they determined that the city and company would limit their comments, then staff would hear from the EHC, and then from the public at large. It should also be noted that during the time the disruption was occurring the EHC had seats at the table and were being approached by other members of the EHC while the hearing was continuing.

While I don't hold staff accountable for this hearing, I do hold you as Commissioners accountable. Staff was not equipped to handle the onslaught of disruption that occurred. More importantly, why is the EHC allowed to conduct themselves in this manner and still have a seat at the table, have access to staff during the hearing and their comments considered more important than the rest of the community? The environment is only "ONE leg of the three legged stool" we all call sustainable communities. Why aren't other groups or individuals representing the economy and experts in efficiency called to have a "special" seat at the table and given privileged participation so the "three legged stool" is balanced? While environmentalists do represent one aspect of the community, there is more than one view point to be heard and equal access should be allotted by any governing body.

This letter is a formal request that you as Commissioners to do the following:

- Reexamine your process and regulations regarding participation from any and all entities to ensure equal access, participation and attention to issues are enjoyed by all.
- Conduct your meetings in facilities that are conducive to controlling the audience.

- Have public comment at both the beginning and end of the meeting allowing time for all who attend to participate.
- Ensure you have an adequate agenda and noticing that allows for attendees to participate in the process and adequately prepare for the hearings.

While I respect your authority and the charge you have been given, in this instance it appears more can be done to ensure a fair process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cindy Gompper-Graves'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Cindy Gompper-Graves