

Jane E. Luckhardt
jluckhardt@downeybrand.com

DOCKET	
08-AFC-4	
DATE	NOV 19 2008
RECD.	NOV 19 2008

November 19, 2008

VIA E-MAIL DOCKET@ENERGY.STATE.CA.US

BY HAND DELIVERY

California Energy Commission
Attn: Docket No. 08-AFC-4
1516 Ninth Street
Sacramento, CA 95814

Re: Orange Grove Power Plant Project, 08-AFC-4

Dear Docket Clerk:

In review of our submission of testimony yesterday, we found the witness resumes were inadvertently omitted from Exhibit 18. Exhibit 18 is titled "Witness Declarations and Resumes," and it contains all of the testimony and declarations for the Orange Grove Project. However, the resumes for the experts who provided the declarations and testimony were inadvertently left out of Exhibit 18. These resumes are provided as attachments to letter. We are providing the resumes in electronic form today and will follow with hard copy by hand delivery to the commission and by e-mail to the intervenors.

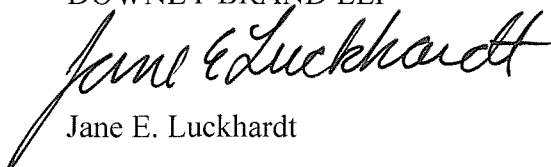
To add the resumes to their proper place in the file, please insert the attached Resume Packet at the end of "Exhibit 18."

We are also providing a list of the exhibits filed yesterday for your convenience.

If you have any questions, please contact Nick Rabinowitsh at (916) 520-5318.

Very truly yours,

DOWNEY BRAND LLP

A handwritten signature in black ink that reads "Jane E. Luckhardt". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Jane E. Luckhardt

:ln

Enclosure

cc: Service List

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

**APPLICATION FOR
CERTIFICATION FOR THE
ORANGE GROVE POWER PLANT
PROJECT BY ORANGE GROVE
ENERGY, LLC**

DOCKET NO. 08-AFC-04
Orange Grove Project Application for
Certification
(Dated June 2008, filed 06/20/08)

APPLICANT'S EXHIBIT LIST - CHRONOLOGICAL

Documents Produced By Applicant

EXHIBIT	DOCUMENT NAME	TECHNICAL AREAS
1	Orange Grove Project Application for Certification; dated June 2008, and docketed on June 19, 2008. Sponsored by Applicant, and received into evidence on _____.	All Areas
2	Supplement to the Application for Certification – Orange Grove Project; dated July 2008, and docketed July 9, 2008. Sponsored by Applicant, and received into evidence on _____.	Biological Resources; Generation Facility Description, Design, and Operation; Water Resources
3	Information Submitted Under Confidentiality Pursuant to 20 CCR §2505, Cultural Resources Surveys and Records Searches, Orange Grove Project; dated June 25, 2008, and docketed June 30, 2008. Sponsored by Applicant, and received into evidence on _____.	Cultural Resources (Confidential)
4	Circulation Element Draft and Agency E-Mail Contacts; dated June 30, 2008. Not docketed. Sponsored by Applicant, and received into evidence on _____.	Traffic and Transportation

5	E-mail From Joe Stenger to Jim Adams Regarding Orange Grove Water Trucks; dated July 24, 2008. Not docketed. Sponsored by Applicant, and received into evidence on _____.	Traffic and Transportation
6	Grading Permit Application for the Orange Grove Project; dated August 26, 2008, and docketed September 5, 2008. Sponsored by Applicant, and received into evidence on _____.	Generation Facility Description, Design, and Operation
7	Orange Grove Project Responses to Data Requests 1-73; dated August 29, 2008, and docketed August 29, 2008. Sponsored by Applicant, and received into evidence on _____.	Air Quality; Alternatives Analysis; Biological Resources; Cultural Resources; Generation Facility Description, Design, and Operation; Hazardous Materials Handling; Public Health; Socioeconomics; Soil and Water Resources; Transmission System Design, Safety and Nuisance; Waste Management; Worker Safety and Fire Protection
8	Axle Count and Daily Classification Report, E-mailed to CEC Staff on September 2, 2008, and dated March 15, 2008 and March 20, 2008. Sponsored by Applicant, and received into evidence on _____.	Traffic and Transportation
9	E-Mail from Joe Stenger to Jim Adams Regarding SR 76 California Legal Advisory Route; dated September 3, 2008. Not docketed. Sponsored by Applicant, and received into evidence on _____.	Traffic and Transportation

10	Orange Grove Energy AFC – Responses to Data Requests from the September 11, 2008 Workshop and Other Data Requests; dated October 1, 2008, and docketed _____. Sponsored by Applicant, and received into evidence on _____.	Air Quality; Biological Resources; Cultural Resources; Hazardous Materials Handling; Soil Resources; Transmission Line Safety and Nuisance; Waste Management; Water Resources; Worker Safety
11	Information Submitted Under Confidentiality Pursuant to 20 CCR § 2505, Cultural Resource Study, Orange Grove Project; dated October 6, 2008. Sponsored by Applicant, and received into evidence on _____.	Cultural Resources (Confidential)
12	Cumulative Air Quality Impact Assessment; dated October 2008, and docketed October 17, 2008. Sponsored by Applicant, and received into evidence on _____.	Air Quality
13	E-mail from E. Back to M. Moreno Regarding Orange Grove HLP; dated October 21, 2008, and docketed October 27, 2008. Sponsored by Applicant, and received into evidence on _____.	Biological Resources
14	E-mail from J. Stenger to J. Adams Regarding Orange Grove Energy Initial Water Hauling; dated October 24, 2008, and docketed October 24, 2008. Sponsored by Applicant, and received into evidence on _____.	Water Resources
15	Letter-Report Geoarchaeological Investigation for the Orange Grove Project Gas Pipeline; dated October 30, 2008 and docketed on _____. Sponsored by Applicant, and received into evidence on _____.	Cultural Resources
16	(reserved)	
17	Orange Grove Energy, L.P. Comments to the Orange Grove Project Preliminary Determination of Compliance;	Air Quality

	dated _____ and docketed _____. Sponsored by Applicant, and received into evidence on _____.	
18	<p>Witness Declarations and Resumes; docketed November 18, 2008. Sponsored by Applicant, and received into evidence on _____.</p> <ul style="list-style-type: none"> (a) Executive Summary/Project Description (b) Air Quality (c) Biological Resources (d) Cultural Resources (e) Hazardous Materials (f) Land Use (g) Noise and Vibration (h) Public Health (i) Socioeconomic Resources (j) Soil and Water Resources (k) Traffic and Transportation (l) Visual Resources (m) Waste Management (n) Worker Safety (o) Engineering Assessment: Facility Design, Power Plant Efficiency, Power Plant Reliability, Transmission System Engineering (p) Engineering Assessment: Geology and Paleontology (q) Alternatives (r) Conditions of Certification 	
19	Applicant's Comments Regarding Conditions of Certification; dated _____. Sponsored by Applicant, and received into evidence on _____.	
20	(reserved)	
21	(reserved)	
22	(reserved)	
23	(reserved)	

24	(reserved)	
25	(reserved)	

Documents Produced By Other Agencies

EXHIBIT	DOCUMENT NAME	TECHNICAL AREAS
50	Caltrans - Comments on Orange Grove Project; dated August 13, 2008, and docketed August 15, 2008. Sponsored by Applicant, and received into evidence on _____.	Generation Facility Description, Design, and Operation; Transmission Line Safety and Nuisance
51	California Regional Water Quality Control Board, San Diego Region - Comments on the Application for Certification for the Orange Grove Power Plant Project, California Energy Commission; dated August 26, 2008, and docketed September 5, 2008. Sponsored by Applicant, and received into evidence on _____.	Generation Facility Description, Design, and Operation; Water Resources
52	Rainbow Municipal Water District - Comments on Orange Grove Project; dated August 27, 2008, and docketed September 5, 2008. Sponsored by Applicant, and received into evidence on _____.	Water Resources
53	United States Fish and Wildlife Service - Comments on the Orange Grove Project Biological Report; dated September 3, 2008, and docketed September 10, 2008. Sponsored by Applicant, and received into evidence on _____.	Biological Resources
54	Mercy Medical Transportation, Inc. - Letter Regarding EMS Services, Orange Grove Project; dated September 6, 2008, and docketed September 10, 2008. Sponsored by Applicant, and received into evidence on _____.	Worker Safety
55	Meeting with the U.S. Fish and Wildlife Service and the CA Department of Fish and Game Agenda; dated September 18, 2008, and docketed September 10, 2008. Sponsored by Applicant, and received into evidence on _____.	Biological Resources
56	E-mail from Michael Porter of Regional Water Quality Control Board, San Diego, to Cheryl Closson Regarding Orange Grove Power Plant Project in Northern San Diego	Water Resources

	County; dated October 3, 2008, and docketed October 22, 2008. Sponsored by Applicant, and received into evidence on _____.	
57	Grant of Confidential Designation of Information Submitted Under Confidentiality Pursuant to 20 CCR §2505, Cultural Resources Surveys and Records Searches from June 25, 2008; dated July 11, 2008, and docketed July 16, 2008. Sponsored by Applicant, and received into evidence on _____.	Cultural Resources
58	Grant of Confidential Designation of Supplemental Archaeological Survey Report for the Monserate to Pala Substation Transmission Line Reconductoring from October 6, 2008; dated November 6, 2008, and docketed _____. Sponsored by Applicant, and received into evidence on _____.	Cultural Resources
59	Letter from SDG&E Regarding Clarifying Mitigation for Transmission System Upgrades; dated _____, 2009. Sponsored by Applicant, and received into evidence on _____.	Biological Resources
60	San Diego Air Pollution Control District Final Determination of Compliance, Orange Grove Project; dated _____ 2008, and docketed _____ 2008. Sponsored by Applicant, and received into evidence on _____.	Air Quality
61	(reserved)	
62	(reserved)	
63	(reserved)	
64	(reserved)	
65	(reserved)	

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

**APPLICATION FOR CERTIFICATION
ORANGE GROVE POWER PLANT**

DOCKET NO. 08-AFC-4

**PROOF OF SERVICE
(Revised 10/27/08)**

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. 08-AFC-4
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

<p><u>APPLICANT</u></p> <p>Stephen Thome J-Power USA Development 1900 East Golf Road, Suite 1030 Schaumburg, IL 60173 sthome@jpowerusa.com</p>	<p><u>COUNSEL FOR APPLICANT</u></p> <p>Jane Luckhardt Downey Brand, LLP 621 Capital Mall, 18th Floor Sacramento, CA 95814 jluckhardt@downeybrand.com</p>
<p>Mike Dubois J-Power USA Development 1900 East Golf Road, Suite 1030 Schaumburg, IL 60173 mdubois@jpowerusa.com</p>	<p>Wayne Song Morgan, Lewis & Bockius LLP 300 S Grand Avenue, 22nd Floor Los Angeles, CA 90071 wsong@morganlewis.com</p>
<p><u>APPLICANT CONSULTANT</u></p> <p>Joe Stenger, PG. REA TRC 21 Technology Drive Irvine, CA 92619 usingh@trcsolutions.com</p>	<p><u>INTERESTED AGENCIES</u></p> <p>Ca. Independent System Operator 151 Blue Ravine Road Folsom, CA 95630 e-recipient@caiso.com</p>

Steve Taylor San Diego Gas & Electric 8306 Century Park Court San Diego, CA 92123 srtaylor@semprautilities.com	<u>ENERGY COMMISSION</u> JAMES D. BOYD Presiding Member jboyd@energy.state.ca.us
	ARTHUR ROSENFELD Associate Member pflint@energy.state.ca.us
<u>INTERVENORS</u> Anthony J. Arand 219 Rancho Bonito Fallbrook, CA 92028 (760) 728-7388 Voice tony@envirepel.com	Kenneth Celli Hearing Officer kcelli@energy.state.ca.us Felicia Miller Project Manager fmiller@energy.state.ca.us
Alliance for a Cleaner Tomorrow (ACT) c/o Arthur S. Moreau, Klinedinst, PC 501 West Broadway, Suite 600 San Diego, CA 92101 amoreau@klinedinstlaw.com	Jared Babula Staff Counsel jbabula@energy.state.ca.us Public Adviser's Office pao@energy.state.ca.us
Archie D. McPhee 40482 Gavilan Mountain Road Fallbrook, CA 92028 Archied1@earthlink.net	


DECLARATION OF SERVICE

I, Lois Navarrot, declare that on November 19, 2008, I deposited a copy of the attached **Applicant's Exhibit List - Chronological** in the United States mail at Sacramento, California 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.

A handwritten signature in black ink, appearing to read "Lois Navarrot", written over a horizontal line.

Lois Navarrot